## IN THE UNITED STATE DISTRICT COURT NORTHERN DISTRICT OF OHIO, EASTERN DIVISION

MICHAEL GRAHAM,

Plaintiff,

vs. Case No. 1:06CV2091

BEST BUY STORES, L.P., et al.,

Defendants.

Deposition of MICHAEL GRAHAM

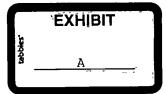
February 28, 2007

12:16 p.m.

Taken at:

Vorys, Sater, Seymour and Pease, LLP 1375 East Ninth Street, Suite 2100 Cleveland, Ohio

Todd L. Persson, Notary Public



Michael Graham

1 APPEARANCES: 2 On behalf of the Plaintiff: 3 On behalf of the Plaintiff: 4 Schuster \$ Simmons Co., LPA, by 5 KAMI D. ROWLES, ESQ. 6 The Bevelin House 7 2913 Clinton Avenue 8 Cleveland, OH 44113 9 (216) 348-1100 10 ss@apk.net 11 11 12 On behalf of the Defendant: 13 Vorys, Sater, Seymour and Pease. 14 LLP, by 15 MATTHEW D. BESSER, ESQ. 16 DAVID CAMPBELL, ESQ. 17 2100 One Cleveland, Center 18 1375 East Ninth Street 19 Cleveland, OH 44114 20 (216) 479-6100 21 mdbesser@yssp.com 22 23				1	
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The Bevelin House		· · · · · · · · · · · · · · · · · · ·			
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9	7	2913 Clinton Avenue		ŀ	
10	8	Cleveland, OH 44113		8	Q. If you could, just state your name
11	9	(216) 348-1100		9	for the record and spell it, just so we have
12	10	ss@apk.net		10	it. 12:16:03
13	11			11	A. Michael, M-i-c-h-a-e-l, L. Graham,
13	12	On behalf of the Defendant:		12	G-r-a-h-a-m. That's the Second.
14	1	Vorvs, Sater, Seymour and Pease.		13	O. And just to I briefly introduced
15 MATTHEW D. BESSER. ESQ. 16 DAVID CAMPBELL. ESQ. 17 2100 One Cleveland. Center 18 1375 East Ninth Street 19 Cleveland. OH 44114 20 (216) 479-6100 21 mdbesser@vssp.com 21 mdbesser@vssp.com 22 A. Yes. 23 Q. When I say "Best Buy". I know there's some different technical legal names. 25 But when I say "Best Buy". I'm going to be 12:16:42  1 IN DE X 2 EXAMINATION OF 4 6 3 A. Yes. 3 EXAMINATION OF 4 6 4 MICHAEL GRAHAM 5 BY MR. CAMPBELL 6 MICHAEL GRAHAM 7 BEST Buy". I'm going to be lere shortly. And we are 12:16:10 and the macedonia store? Do you understand that?  8 Exhibit I was marked 164 25 8 Exhibit I was marked 164 25 9 Do you understand that? 10 A. Okay. 11 The table in sure you've heard from your 12:17:10 and you were employed: A. Okay. 12 I'm talking about your former employer, when you were employed at that macedonia store. 14 A. Okay. 15 Do you understand that? 16 Day if there's a specific store or if I'm talking about the adquarter or the locations. 18 Do you understand that? 19 Do you understand that? 10 A. Okay. 11 The table in sure you've heard from your 12:17:10 counses some of the ins and out and dos and don'ts of a deposition. Let me just tell you the basic ground rules that I'll be working from so you understand. 20 First and foremost, just to help 12:17:18 with the court reporter; if you could speak up and just answer affirmatively versus say yes or no. I know what your answer: is, but the court reporter; if you could speak up and just answer affirmatively versus say yes or no. I know what your answer: is, but the court reporter; is, but the court reporter; is, but the court reporter; is, but the court reporter can only take it down if you're				14	· · · · · · · · · · · · · · · · · · ·
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24 court reporter can only take it down if you're	I .			1	
The state of the s					
25 saying yes with that. So do you understand 12:17:31	1				
	1 23			25	saying yes with that. So do you understand 12:17:31
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	Page 22		Page 24
1	Q. Was it less than \$5,000?	l	then came back to West Palm Beach and was hired
2	<ul> <li>A. Honestly, I couldn't answer that</li> </ul>	2	again?
3	question truthfully without looking.	3	A. Yes, sir. That is correct.
4	Q. So we'd have to look at the W2s to	4	Q. So you left due to the birth of
5	see where you were at? 12:34:19	5	your son? 12:36:19
6	A. That is correct.	6	A. That is correct.
7	Q. But your straight salary at Comp	7	Q. Came back to West Palm Beach at a
8	USA is \$4,000 more than at Best Buy?	8	certain point, got hired again?
9	A. That is correct.	9	A. Right.
10	Q. Okay. Have you ever filed any 12:34:32	10	Q. How long did you stay the second 12:36:26
11	other lawsuits against any current or former	11	time?
12	employers, aside from the one we're here today	12	A. The second time, I want to say it
13	about?	13	was I couldn't answer that truthfully.
14	A. No. sir.	14	Q. Okay.
15	Q. I know you filed a charge of 12:34:41	15	A. I don't want to say approximately 12:36:44
16	discrimination in this matter with the EEOC and	16	without giving you a definite answer.
17	the OCRC. Are you familiar with those two	17	Q. You were only hired twice in West
18	organizations?	18	Palm Beach: first initially when you started
19	A. Yes, sir.	19	with Best Buy and then
20	Q. Have you ever filed any other 12:34:51	20	A. Then rehire. That is correct. 12:36:54
21	charges of discrimination against any other	21	Q. Why did you leave West Palm Beach
22	current or former employers?	22	Best Buy the second time?
23	A. In Indiana working with Best Buy I	23	A. That was a promotion. That was a
24	had filed a discrimination, the EEOC.	24	promotion. I went to Atlanta.
25	Q. Any others? 12:35:03	25	Q. So a promotion and transfer to 12:37:06
1		l	
1	Page 23		Page 25
1	Page 23 A. No, sir.	1	Page 25 Atlanta?
1 2	•	1 2	
	A. No, sir.		Atlanta?
2	<ul><li>A. No, sir.</li><li>Q. And maybe it's a good time to just</li></ul>	2	Atlanta?  A. That is correct.
2 3	A. No, sir. Q. And maybe it's a good time to just ask you in general, you were employed by Best	2	Atlanta?  A. That is correct.  Q. What position did you start with at
2 3 4	A. No, sir. Q. And maybe it's a good time to just ask you in general, you were employed by Best Buy for I guess you had some breaks in	2 3 4	Atlanta?  A. That is correct.  Q. What position did you start with at  Best Buy when you were first hired at West Palm
2 3 4 5	A. No, sir.  Q. And maybe it's a good time to just ask you in general, you were employed by Best Buy for I guess you had some breaks in service?  A. Yes, sir.	2 3 4 5	Atlanta?  A. That is correct.  Q. What position did you start with at Best Buy when you were first hired at West Palm Beach?
2 3 4 5 6	A. No, sir. Q. And maybe it's a good time to just ask you in general, you were employed by Best Buy for I guess you had some breaks in service?  A. Yes, sir. Q. When did you start with Best Buy?	2 3 4 5 6	Atlanta?  A. That is correct. Q. What position did you start with at Best Buy when you were first hired at West Palm Beach? A. Oh, part-time, what do they call it, product specialist.
2 3 4 5 6 7	A. No, sir. Q. And maybe it's a good time to just ask you in general, you were employed by Best Buy for I guess you had some breaks in service?  A. Yes, sir. Q. When did you start with Best Buy?	2 3 4 5 6 7	Atlanta?  A. That is correct.  Q. What position did you start with at  Best Buy when you were first hired at West Palm  Beach?  A. Oh, part-time, what do they call  it, product specialist.
2 3 4 5 6 7 8	A. No, sir. Q. And maybe it's a good time to just ask you in general, you were employed by Best Buy for I guess you had some breaks in service?  12:35:16 A. Yes, sir. Q. When did you start with Best Buy? A. I started with Best Buy, that was in '97.	2 3 4 5 6 7 8	Atlanta?  A. That is correct.  Q. What position did you start with at  Best Buy when you were first hired at West Palm  Beach?  A. Oh, part-time, what do they call  it, product specialist.  Q. So you were just an associate at that time?
2 3 4 5 6 7 8 9	A. No, sir. Q. And maybe it's a good time to just ask you in general, you were employed by Best Buy for I guess you had some breaks in service?  12:35:16 A. Yes, sir. Q. When did you start with Best Buy? A. I started with Best Buy, that was in '97.	2 3 4 5 6 7 8 9	Atlanta?  A. That is correct.  Q. What position did you start with at Best Buy when you were first hired at West Palm Beach?  A. Oh, part-time, what do they call it, product specialist.  Q. So you were just an associate at that time?
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2 3 4 5 6 7 8 9 10	A. No, sir. Q. And maybe it's a good time to just ask you in general, you were employed by Best Buy for I guess you had some breaks in service? 12:35:16 A. Yes, sir. Q. When did you start with Best Buy? A. I started with Best Buy, that was in '97. Q. Okay. And what store were you in 12:35:25 then? A. West Palm Beach, Florida.	2 3 4 5 6 7 8 9 10	Atlanta?  A. That is correct.  Q. What position did you start with at  Best Buy when you were first hired at West Palm  Beach?  A. Oh, part-time, what do they call  it, product specialist.  Q. So you were just an associate at that time?  A. Yes. Product specialist was the 12:37:23  term.  Q. And did you hold that position
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. No, sir. Q. And maybe it's a good time to just ask you in general, you were employed by Best Buy for I guess you had some breaks in service?  12:35:16 A. Yes, sir. Q. When did you start with Best Buy? A. I started with Best Buy, that was in '97. Q. Okay. And what store were you in 12:35:25 then? A. West Palm Beach, Florida. Q. And how long were you there. A. That I would actually have to look at previous pay stubs to be accurate. 12:35:43 Q. Approximate. Approximate. A year, two years, three years? A. I would say over the course of a couple of years. Q. And why did you leave? 12:35:53 A. I know the very first time that I	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Atlanta?  A. That is correct.  Q. What position did you start with at Best Buy when you were first hired at West Palm Beach?  A. Oh, part-time, what do they call it, product specialist.  Q. So you were just an associate at that time?  A. Yes. Product specialist was the 12:37:23 term.  Q. And did you hold that position until you were promoted and transferred out of West Palm Beach?  A. No. sir. 12:37:33  Q. What was your next position?  A. I was the home audio senior.  Q. Was that during your first tenure at West Palm Beach or your second?  A. During my second. 12:37:46  Q. So your first tenure you held just
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. No, sir. Q. And maybe it's a good time to just ask you in general, you were employed by Best Buy for I guess you had some breaks in service?  12:35:16 A. Yes, sir. Q. When did you start with Best Buy? A. I started with Best Buy, that was in '97. Q. Okay. And what store were you in 12:35:25 then?  A. West Palm Beach, Florida. Q. And how long were you there. A. That I would actually have to look at previous pay stubs to be accurate. 12:35:43 Q. Approximate. Approximate. A year, two years, three years? A. I would say over the course of a couple of years. Q. And why did you leave? 12:35:53 A. I know the very first time that I left it was my son was born. I had a son that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Atlanta?  A. That is correct.  Q. What position did you start with at Best Buy when you were first hired at West Palm Beach?  A. Oh, part-time, what do they call it, product specialist.  Q. So you were just an associate at that time?  A. Yes. Product specialist was the 12:37:23 term.  Q. And did you hold that position until you were promoted and transferred out of West Palm Beach?  A. No, sir. 12:37:33  Q. What was your next position?  A. I was the home audio senior.  Q. Was that during your first tenure at West Palm Beach or your second?  A. During my second. 12:37:46  Q. So your first tenure you held just the part-time product specialist position?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. No, sir. Q. And maybe it's a good time to just ask you in general, you were employed by Best Buy for I guess you had some breaks in service?  12:35:16 A. Yes, sir. Q. When did you start with Best Buy? A. I started with Best Buy, that was in '97. Q. Okay. And what store were you in 12:35:25 then?  A. West Palm Beach. Florida. Q. And how long were you there. A. That I would actually have to look at previous pay stubs to be accurate. Q. Approximate. Approximate. A year, two years, three years? A. I would say over the course of a couple of years. Q. And why did you leave? 12:35:53 A. I know the very first time that I left it was my son was born. I had a son that was born, that was in Texas. So I left Florida	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Atlanta?  A. That is correct.  Q. What position did you start with at Best Buy when you were first hired at West Palm Beach?  A. Oh, part-time, what do they call it, product specialist.  Q. So you were just an associate at that time?  A. Yes. Product specialist was the 12:37:23 term.  Q. And did you hold that position until you were promoted and transferred out of West Palm Beach?  A. No, sir. 12:37:33  Q. What was your next position?  A. I was the home audio senior.  Q. Was that during your first tenure at West Palm Beach or your second?  A. During my second. 12:37:46  Q. So your first tenure you held just the part-time product specialist position?  A. That's correct.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. No, sir. Q. And maybe it's a good time to just ask you in general, you were employed by Best Buy for I guess you had some breaks in service?  12:35:16 A. Yes, sir. Q. When did you start with Best Buy? A. I started with Best Buy, that was in '97. Q. Okay. And what store were you in 12:35:25 then?  A. West Palm Beach. Florida. Q. And how long were you there. A. That I would actually have to look at previous pay stubs to be accurate. Q. Approximate. Approximate. A year, two years, three years? A. I would say over the course of a couple of years. Q. And why did you leave? 12:35:53 A. I know the very first time that I left it was my son was born. I had a son that was born, that was in Texas. So I left Florida	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Atlanta?  A. That is correct.  Q. What position did you start with at Best Buy when you were first hired at West Palm Beach?  A. Oh, part-time, what do they call it, product specialist.  Q. So you were just an associate at that time?  A. Yes. Product specialist was the 12:37:23 term.  Q. And did you hold that position until you were promoted and transferred out of West Palm Beach?  A. No, sir. 12:37:33  Q. What was your next position?  A. I was the home audio senior.  Q. Was that during your first tenure at West Palm Beach or your second?  A. During my second. 12:37:46  Q. So your first tenure you held just the part-time product specialist position?  A. That's correct.

	D . 20		Dama 20
1	Page 26 come back into the part-time production	1	Page 28 Buy.
2	specialist?	2	O. What location then?
3	A. Came back into the part-time	3	A. I went to oh, okay. In Texas, I
4	product specialist.	4	had got a call, because I kept in touch with
5	Q. So you're promoted at some point 12:38:04	5	folks. So I went, actually went back to 12:40:57
6	into that home audio senior position?	6	Atlanta, went back to Atlanta as a computer
7	A. That is correct.	7	supervisor.
8	Q. And the next promotion moved you to	8	Q. So Best Buy actually called you,
9	Atlanta?	9	said, hey, if you're interested, come on back,
10	A. That is correct. 12:38:12	10	and you went back to Atlanta? 12:41:15
11	Q. And what position did you hold in	11	A. I went back there to Atlanta.
12	Atlanta?	12	Q. And you took over your old computer
13	A. I was the computer supervisor.	13	supervisor position?
14	Q. And how long were you there in	14	A. That is correct.
15	Atlanta? 12:38:28	15	Q. And I'm going to ask you about 12:41:24
16	A. I was in Atlanta oh, man, how	16	that. In terms of these initial tenures with
17	long was I there. That I would actually have	17	Best Buy when you I take it that just in
18	to probably look at W2s and a pay stub.	18	Florida, you left one time in Florida, was that
19	Q. Why did you leave Atlanta?	19	a voluntary resignation, was that a
20	A. Why did I leave Atlanta. Where did 12:38:43	20	termination? 12:41:41
21	I go. I left Atlanta oh, me and my son's	21	A. That was a voluntary.
22	mother was getting back together that was	22	Q. Okay. Voluntary resignation. And
23	staying in Texas, so I went back to Texas.	23	from Atlanta, when you moved from Atlanta to
24 25	Q. Did you transfer to a Best Buy store? 12:39:04	24 25	Texas when you left the second time, was that voluntary, or how was that 12:41:52
23	Store: 12.39.04	23	voluntary, or how was that 12:41:52
	Page 27		Page 29
1	A. No, sir. At that area, which is	1	A. That was a voluntary when I first
2	Wichita Falls, Texas, there was no Best Buy.	2	left Atlanta.
3	Q. Did you work when you moved back to	3	Q. Okay. Then you come back to
4	Texas?	4	Atlanta again as a computer supervisor. Same
5	A. Yes, sir. 12:39:15	5	store in Atlanta as you were at? 12:41:59
6	Q. Where did you work?	6	A. Same exact store.
7	A. I worked for a Circuit City.	7	Q. Who was your general manager there?
8	Q. And why did you leave Circuit City?	8	A. Gosh.
9	A. I left Circuit City for a better	9	Q. Let me ask you this way. Was it
10	paying job. I also worked at a I can't 12:39:33	10	anybody from the, when you were in Ohio, and 12:42:12
11	remember the name like a Citgo Gas Station	11	we'll get to Ohio
12	in Texas.	12	A. No. Nobody from Ohio.
13	Q. Okay.	13	Q. So you didn't have any relationship
14	A. Wichita Falls, Texas.	14	with any of the district managers or store
15	Q. Okay. And where did you go after 12:39:48	15 16	managers in Ohio in Atlanta? 12:42:24  A. In Atlanta, no.
16 17	Citgo?  A. After Citgo what was I doing	17	Q. Okay. So you go back to Atlanta.
18	A. After Citgo what was I doing MS. ROWLES: Don't think out loud.	18	How long do you stay your second tenure in
19	Just think to yourself.	19	Atlanta?
20	Q. Do you know or not? 12:40:22	20	A. Okay. And then from Atlanta, I was 12:42:32
21	A. I'm not too sure. At this time I	21	a computer supervisor, from Atlanta I
22	couldn't tell you.	22	transferred to Oklahoma City.
23	Q. Okay. And did you go back to Best	23	Q. Okay. Was that a transfer, or was
24	Buy after Citgo, or at some point you did?	24	that a resignation and rehire?
25	A. Yeah. At some point I went to Best 12:40:36	25	A. Well, it was a transfer. It was 12:42:50
i		l	,

just a transfer.  2 Q. Just so I'm clear on the hiring. 3 you were hird divice by Best Buy in Florida? 4 A. Right. Twice in Florida. 5 Q. And once in Altanta? 12-43-01 6 A. And then once in Atlanta. That is 7 correct. 8 Q. So you were hired three times. You 9 go to Oklahoma City. Now, I see from our 1 crecords, it looks as if you were, it was 12-43-08 11 September 1997 when you started in Oklahoma 12-43-18 12 September of 1997? 13 A. September of 1997? 14 Q. Yes. 15 A. No. That's wrong. 12-43-18 16 Q. How do you know that's wrong? 17 A. Because I was in Florida in 97. 18 Q. Okay. How old is your son? 19 A. My son right now is nine. 20 Q. Why did you go to Oklahoma City. 21 A. No. Seases of my family. 22 A. Because of Best Buy or because of your family? 23 Q. So it was near their Texas home? 24 A. No. sir. I had actually met a 25 woman during the times that I went to Texas. 21 and - 22 Q. Okay. 3 Ashe was in Oklahoma City. 4 Q. Is she your current girlffriend or 25 someone sles? 21-43-57 6 A. This is somebody else. 7 Q. So you went to Oklahoma City. 8 Q. Okay. And that was a voluntary move down 13 like you've done from Detroit to Cincinnati? 4 A. Exactly. 9 Q. Okay. Now, from the records, it 12-44-32 1 shows that you were tenjing the from my 20 Q. Okay. Now, from the records, it 12-44-32 21 shows that you were tenjing the imes that? 22 Q. Okay. Now, from the records, it 12-44-32 23 Q. Okay. Now, from the records, it 12-44-32 24 Q. Okay. Now, from the records, it 12-44-32 25 Q. Okay. Now, from the records, it 12-44-32 26 Q. Okay. Now, from the records, it 12-44-32 27 Q. Okay. Now, from the records, it 12-44-32 28 Q. Okay. Now, from the records, it 12-44-32 29 Q. Okay. Well, the records do show 12-44-50 20 Q. Okay. Well, the records do show 12-44-50 20 Q. Okay. Well, the records do show 12-44-50 20 Q. Okay. Well, the records do show 12-44-50 21 Q. Okay. Well, the records do show 12-44-50 22 Q. Okay. Well, the records do show 12-44-50 23 Q. Okay. Well, the records do show 12-44-50 24 Q. Okay. Well, the records		p. 30		D 22
2		Page 30	1	Page 32 that you were rehired in Oklahoma City. So you
3 being let go for job abandonment. Do you 4 A Right. Twice in Florida? 5 Q. And once in Atlanta. That is 7 correct. 8 Q. So you were hired three times. You 9 go to Oklahoma City. Now, I see from our 10 records, it looks as if you were, it was 12:43:08 11 September 1997 when you started in Oklahoma 12 City? 13 A. September of 1997? 14 Q. Yes. 15 A. No. That's wrong. 16 Q. How do you know that's wrong? 17 A. Because I was in Florida in 97. 18 Q. Okay. How old is your son? 19 Q. Why did you go to Oklahoma City. 20 Q. Why did you go to Oklahoma City. 21 A. No, sir. I that actually met a woman during the times that I went to Texas. 22 A. No, sir. That actually met a woman during the times that I went to Texas. 23 Q. So you remained at Oklahoma City. 24 Q. Is she your current girlfriend or someone clse? 25 Q. So you went to Oklahoma City. 26 A. This is somebody else. 27 Q. So you were terminated in the 12:45:03 28 Oklahoma City store. 29 Q. Why did you go were, it was 12:43:08 3 throughout your tenute in Oklahoma City without any post kin service? 4 A. Lan't remember his name, because Week pig etting general manager. But my 12:45:19 16 Q. How do you know that's wrong? 17 House. 18 Q. How do you spell House? 19 A. Like H-o-u-s-e. 20 Q. Why did you go to Oklahoma City. 21 and then you transferred to Castleton, Indiana? 22 Q. Okay. 3 A she was in Oklahoma City. 4 Q. Is she your current girlfriend or someone clse? 4 A. This is somebody else. 5 A. This was Best Buy calling me. 12:45:52 5 A. This was Best Buy calling me. 12:45:52 6 Q. Okay. And what did they need you 1 to do in Castleton, Indiana? 2 C. Who called you? 2 A. Bost at time, called the pred you 1 to do in Castleton, Indiana. 2 C. Oklahoma City with Best Buy? 3 A. Like H-o-u-s-e. 4 A. This was dest Buy early the pred to Castleton, Indiana. 4 A. Lan't remember his name, because week pig ettine general manager. But my 12:45:19 16 I and the pred three times. Put the week pig ettine did held the pred to the pred the pred the pred the pred the pred the pred the p		,		
4 A. Right. Twice in Florida. 5 Q. And once in Atlanta? 12.43:01 6 A. And then once in Atlanta. That is 7 correct. 8 Q. So you were hired three times. You 9 go to Oklahoma City. Now, I see from our 10 correct. 11 corrods, it looks as if you were, it was 12.43:08 11 September 1997 when you started in Oklahoma 12 City? 13 A. September of 1997? 14 Q. Yes. 15 A. No. That's wrong 12.43:18 16 Q. How do you know that's wrong? 17 A. Because I was in Florida in 97. 18 Q. Okay. How old is your son? 19 A. My son right now is nine. 20 Q. Why did you go to Oklahoma City. 21 because of Best Buy or because of your family? 22 A. Because of my family. 23 Q. So it was near their Texas home? 24 A. No. sir. I had ectually met a 25 woman during the times that I went to Texas. 26 Q. Okay. 3 A she was in Oklahoma City. 4 Q. Is she your current griffiend or 27 someone else? 28 Q. Okay. 3 A she was in Oklahoma City. What 4 position did you hold in Oklahoma City. What 5 position did you hold in Oklahoma City. What 6 position did you hold in Oklahoma City. What 7 position did you hold in Oklahoma City. What 8 position did you hold in Oklahoma City. What 9 position did you hold in Oklahoma City. What 10 A. Exactly. 11 A. Exactly. 12 Q. Okay. So you meved into the 12.44.06 13 supervisor. 14 A. Exactly. 15 A. I was never terminated in the 12.45.93 6 A. I was never terminated in the 12.45.01 7 Q. So you were imployed throughout the timok flow and problem of throughout of throughout of throughout of throughout of throughout of whold in Oklahoma City. 16 A. This was Best Buy calling me. 12.45.19 17 A. Because I was in Florida in 97. 18 Q. Okay. So you moved to Oklahoma City. What so you can be problem of the pro	L			
5 Q. And once in Atlanta? 12.43.01   6 A. And then once in Atlanta. That is correct.  8 Q. So you were hired three times. You go to Oklahoma City. Now, I see from our records, it looks as if you were, it was 12.43:08   11 September 1997 when you started in Oklahoma 12.45.11   11 A. September of 1997?   12 Q. Yes.   13 A. September of 1997?   14 Q. Yes.   15 A. No. That's wrong.   12.43:18   16 Q. How do you know that's wrong?   17 A. Because I was in Florida in '97.   18 Q. Okay. How old is your son?   19 A. My son right now is nine.   20 Q. Why did you go to Oklahoma City.   21 because of Best Buy or because of your family?   22 A. Because I was near their Texas home?   23 A. No, Sir. I had actually met a   25 woman during the times that I went to Texas.   26 A. This is somebody else.   27 Q. Okay.   3 A she was in Oklahoma City   4 Q. I sas he your current girlfriend or   29 Soyou were in Oklahoma City   20 Soyou were in or Albahoma City   21 Soyou were in or Albahoma City   22 A. Because of my family.   23 Q. Okay.   3 A she was in Oklahoma City   4 Q. I sas ecomputer senior.   4 A. This is somebody else.   5 A. This was Best Buy calling me.   5 A. Christopher Riley.   5 A. Christopher Riley.   6 Q. Okay. And what did they need you   7 to do in Castleton, Indiana?   8 A. Exactly.   9 A. I had to go to the computer senior.   10 I was a computer senior.   11 A. Exactly.   12 Q. Okay. Now, from the records.   12 A. Now that is correct.   20 Q. Okay. And what did they need you   10 Oklahoma City with Best Buy?   11 A. The store just already been   12 running.   12 A. Discussion of Castleton, Indiana?   13 A. Right.   14 A. I can it mere than 12.44-106   15 moving experses, or anything like that?   16 Q. Okay. Now, from the records.   17 Q. Okay. Now, from the records.   18 Q. You got paid to relocate?   19 A. Paid to relocate.   19 A. Paid to relocate.   10 I was with them for I'd say maybe a   10 Year of the firm of the corrects from miny   11 A. The store just already been   12 A. No. So you were the p		·		
6 A. And then once in Atlanta. That is 7 correct. 8 Q. So you were hired three times. You 9 go to Oklahoma City. Now.] see from our 10 records, it looks as if you were, it was 12-43:08 11 September 1997 when you started in Oklahoma 12 City? 13 A. September of 1997? 14 Q. Yes. 15 A. No. That's wrong. 12-43:18 16 Q. How do you know that's wrong? 17 A. Because I was in Florida in '97. 18 Q. Okay. How old is your son? 19 A. My son right now is nine. 20 Q. Why did you go to Oklahoma City. 19 A. Because I was in Florida in '97. 21 because of Best Bluy or because of Best Buy or because of Supernational your family? 22 A. Because of my family. 23 Q. So you were employed 24 A. No. That's wrong. 25 woman during the times that I went to Texas. 26 Q. Why did you go to Oklahoma City. 27 A. Because of my family. 28 A. No. Sir. I had actually met a 29 woman during the times that I went to Texas. 29 Q. Okay. 30 A she was in Oklahoma City. 40 Q. Is she your current girlfriend or someone else? 41 A. No. Sir. I had actually met a 42 Q. Okay. 43 A she was in Oklahoma City. 44 Q. Is she your current girlfriend or someone else? 45 A. This is somebody else. 46 A. This is somebody else. 47 Q. Okay. And what did they need you to do in Castleton, Indiana? 48 A. I was a computer senior. 49 Q. Who called you? 50 A. This was dest Buy yas were employed 50 A. In am positive that I was maployed 61 I was a computer senior of the Indianapolis tore. 64 A. Tan's the Computer senior of Indiana And you were employed 65 A. This is somebody else. 79 Q. Okay. Now, from the records, it 12-44:32 79 A. No. That's were employed 70 A. Like Ho-u-s-e. 70 Q. Okay. Now, from the records in the Indianapolis store. 71 Q. So you went to Oklahoma City. 72 A. Now. that is correct. 73 Q. Dest Buy said we need somebody in 2 Castleton. Indiana? 74 A. This is somebody else. 75 A. This was Best Buy said we need somebody in 2 Castleton. Indiana? 75 A. That store just alr				
7 correct. 9 Q. So you were hired three times. You 9 go to Oklahoma City. Now, I see from our 10 records, it looks as if you were, it was 12:43:08 11 September 1997 when you started in Oklahoma 12 City? 13 A. September of 1997? 14 Q. Yes. 15 A. No. That's wrong. 16 A. Because I was in Florida in 97. 17 A. Because I was in Florida in 97. 18 Q. Okay. How old is your son? 19 Q. Okay. How old is your son? 20 Q. Why did you go to Oklahoma City, 12:43:15 21 because of Best Buy or because of your family. 22 A. Because I was near their Texas home? 23 Q. So it was near their Texas home? 24 A. No. sir. I had actually met a woman during the times that I went to Texas. 25 woman during the times that I went to Texas. 26 Q. Okay. 3 A she was in Oklahoma City, 4 Q. Is she your current girffriend or someone else? 4 Q. Okay. 4 Q. Is she your current girffriend or someone else? 4 A. This is somebody else. 5 you went in Oklahoma City. What position did you hold in Oklahoma City? 9 A. I had to go to the computer senior. 10 I was a computer senior, instead of a 12:44:56 11 supervisor. 12 Q. Okay. So you moved into the 12:44:14 computer senior role. How long were you in 190 Oklahoma City with Best Buy? 10 Q. Okay. So you wont elinot he 12:44:14 for computer senior role. How long were you in 190 Oklahoma City with Best Buy? 15 A. No. secause I transferred from my 24 Oklahoma City store to the Indianapolis store.				
8 Q. So you were hired three times. You 9 go to Okhahoma City, Now, I see from our 10 records, it looks as if you were, it was 12:43:08 11 September 1997 when you started in Oklahoma 12 City? 13 A. September of 1997? 14 Q. Yes. 15 A. No. That's wrong. 16 Q. How do you know that's wrong? 17 A. Because I was in Florida in 97. 18 Q. Okay, How old is your son? 19 A. My son right now is nine. 20 Q. Why did you go to Oklahoma City, 12:43:35 21 because of Best Buy or because of your family? 22 A. Because of my family. 23 Q. So it was near their Texas home? 24 A. No. sir. I had actually met a woman during the times that I went to Texas. 25 woman during the times that I went to Texas. 26 Q. Okay. 3 A she was in Oklahoma City. 4 Q. Is she your current girlfriend or someone else? 2 Q. Okay. 3 A she was in Oklahoma City. 4 Q. Is she your current girlfriend or someone else? 4 A. This is somebody else. 5 You went to Oklahoma City. 6 A. This is somebody else. 7 Q. So you went to Oklahoma City. 8 A. I was the computer senior. 12 Q. And that was a voluntary move down like you've done from Detroit to Cincinnati? 14 A. Exactly. 15 Q. Okay. So you moved into the 12:44:14 computer senior role. How long were you in 17 Oklahoma City with Best Buy? 18 A. I was with them for I'd say maybe a year. 20 Q. Okay. Now, from the records, it 12:44:32 shows that you were let go once in Oklahoma City. Yen year. 21 Shows that you were let go once in Oklahoma City. Yen year. 22 So you go go to Oklahoma City. What you were let go once in Oklahoma City. Yen year. 23 Q. Okay. So you moved into the 12:44:14 shows thy them for I'd say maybe a year. 24 Oy Oklahoma City with Best Buy? 25 Oy Okay. Now, from the records, it 12:44:32 shows that you were let go once in Oklahoma City. Yen year. 26 Q. Okay. Now, from the records, it 12:44:32 shows that you were let go once in Oklahoma City. Yen year. 27 Q. Okay. Now, from the records, it 12:44:32 shows that you were let go once in Oklahoma City. Yen year year you moved to Castleton, Indiana. And you we				· ·
9 any break in service? 10 records, it looks as if you were, it was 12:43:08 11 September 1997 when you started in Oklahoma 12 City? 13 A. September of 1997? 14 Q. Yes. 15 A. No. That's wrong 12:43:18 16 Q. How do you know that's wrong? 17 A. Because I was in Florida in '97. 18 Q. Okay. How old is your son? 19 A. My son right now is nine. 20 Q. Why did you go to Oklahoma City. 21 Decause of Best Buy or because of your family? 22 A. Because of was in Cklahoma 23 Q. So it was near their Texas home? 24 A. No. sir. I had actually reat a woman during the times that I went to Texas. 25 woman during the times that I went to Texas. 26 Q. Okay. 27 A. She was in Oklahoma City. 28 Q. Okay. 30 A she was in Oklahoma City. 40 Q. Is she your current girlfriend or someone else? 41 September 1997 when you started in Oklahoma City. 42 Q. So you went to Oklahoma City. 43 Q. So you went to Oklahoma City. 44 Q. Is she your current girlfriend or someone else? 45 A. This is somebody else. 46 Q. So you went to Oklahoma City. 47 Q. So you went to Oklahoma City. 48 Position did you hold in Oklahoma City. 49 A. I had to go to the computer senior. 40 Q. So you went to Oklahoma City. 41 A. Ecartly. 42 A. Ecan't remember his name, because we kept getting general manager: no lity we kept getting general manager in 10 Oklahoma City. 41 House. 41 House. 41 House. 42 Q. So you remained at Oklahoma City. 42 A. No. sir. I had actually rate a woman during the times that I went to Texas. 42 A. Now that is correct. 42 A. Now that is correct. 43 Q. And was this your request, or was this				
10 records, it looks as if you were, it was 12-43-08 11 September 1997 when you started in Oklahoma 12 City? 13 A. September of 1997? 14 Q. Yes. 15 A. No. That's wrong 12-43-18 16 Q. How do you know that's wrong? 17 A. Because I was in Florida in '97. 18 Q. Okay. How old is your son? 19 A. My son right now is nine. 10 Q. Why did you go to Oklahoma City, 12-43-35 11 and 12 Q. Okay. 12 Q. Okay. 13 A. September of 1997? 14 A. I can't remember his name, because immediate manager, sales manager was Heidi 17 A. Because I was in Florida in '97. 18 Q. Okay. How old is your son? 19 A. My son right now is nine. 19 A. My son right now is nine. 20 Q. Why did you go to Oklahoma City, 12-43-35 21 because of Best Buy or because of your family? 22 A. Because of Best Buy or because of your family? 23 Q. So it was near their Texas home? 24 A. No. sir. I had actually met a 25 woman during the times that I went to Texas. 26 A. This was Best Buy calling me. 27 Q. Okay. 3 A she was in Oklahoma City. 4 Q. Is she your current girlfriend or 5 someone else? 28 Ly Septiment of the too of the computer senior. 4 Q. So you went to Oklahoma City. What position did you hold in Oklahoma City. What position did you hold in Oklahoma City. 4 A. I was the computer senior. 5 Q. And that was a voluntary move down like you've done from Detroit to Cincinnait? 4 A. I was the computer senior. 5 Q. Okay. So you moved into the 12-44-16 computer senior role. How long were you in 10 Oklahoma City with Best Buy? 18 A. I was with them for I'd say maybe a year.  9 Q. Okay. Now, from the records, it 12-44-32 thouse that time, actually I got a release that time, actu	ı			
11 September 1997 when you started in Oklahoma 12 City? 13 A. September of 1997? 14 Q. Yes. 15 A. No. That's wrong. 12:43:18 16 Q. How do you know that's wrong? 17 A. Because I was in Florida in '97. 18 Q. Okay. How old is your son? 19 A. My son right now is nine. 20 Q. Why did you go to Oklahoma City. 21 because of Best Buy or because of your family? 22 A. Because of my family. 23 Q. So it was near their Texas home? 24 A. No. sir. I had actually met a woman during the times that I went to Texas. 25 woman during the times that I went to Texas. 26 Q. Okay. 3 A she was in Oklahoma City. 4 Q. Is she your current girlfriend or someone else? 4 Q. Okay. 5 someone else? 5 Q. Oxay. 6 A. This is somebody else. 7 Q. So you went to Oklahoma City. 8 A. I was the computer senior. 10 I was a computer senior, instead of a 12:44:04 11 supervisor. 12 Q. Okay. Now, from the records, it 12:44:14 16 computer senior role. How long were you in 17 Oklahoma City with Best Buy? 18 A. I was with them for Id say maybe a year. 20 Q. Okay. Now, from the records, it 12:44:32 21 shows that you were let go once in Oklahoma 212 through the first part of the dianapolis store. 21 A. Now, that is correct. 22 A. Now, that is correct. 23 Q. Best Buy said we need somebody in 2 Castleton. Indiana? 24 Castleton. Indiana? 25 A. This was Best Buy calling me. 26 D. Best Buy said we need somebody in 2 Castleton. Indiana? 27 Castleton. Indiana? 28 A. I was the computer supervisor. 29 Q. Was the store just appening, or was this replacing someone? 30 I was a computer senior, instead of a 12:44:06 31 supervisor. 32 Q. Okay. Now, from the records, it 12:44:34 33 A. I was the them for Id say maybe a year. 34 Q. Okay. Now, from the records, it 12:44:32 35 shows that you were let go once in Oklahoma 26 City for job abandonment. Do you recall that? 27 Q. Okay. Now, from the records, it 12:44:32 28 shows that you were let go once in Oklahoma 29 City for job abandonment. Do you recall that? 20 Q. Okay. Now, from the records, it 12:44:32 21 shows that you were le		-		·
12 City?	ı	-	11	,
13  Oklahoma City? 14  Q. Yes 15  A. No. That's wrong. 12:43:18 16  Q. How do you know that's wrong? 17  A. Because I was in Florida in 97. 17 18  Q. Okay. How old is your son? 19  A. Myson right now is nine. 20  Q. Why did you go to Oklahoma City, 12:43:35 21 because of Best Buy or because of your family? 22  A. Because of my family. 23  Q. So it was near their Texas home? 24  A. No. sir. I had actually met a 25 woman during the times that I went to Texas. 12:43:48 26  A. This was Best Buy calling me. 12:45:45 27  A. This was Best Buy calling me. 12:45:45 28  A. This was best Buy calling me. 12:45:52 29  Q. Okay. 30  Ashe was in Oklahoma City. 40  Q. Is she your current girlfriend or someone else? 12:43:57 41  A. This is somebody else. 42  Q. Okay. And what did they need you to do in Castleton, Indiana? 43  A. I was the computer senior. 44  Q. So you went to Oklahoma City? 45  A. This is computer senior, instead of a 12:44:04 16  Like Ho-u-s-e. 17  Q. Okay. And was this your request. or was 10 degree with the first of the computer senior, instead of a 12:44:04 18  Q. Who called you? 19  A. I was the computer supervisor. 20  Q. And that was a voluntary move down 13 like you've done from Detroit to Cincinnati? 21  A. I was the computer senior role. How long were you in Oklahoma City what 18 like you've done from Detroit to Cincinnati? 22  A. I was with them for I'd say maybe a 19 year. 23  A. I was with them for I'd say maybe a 19 year. 24  Q. Okay. Now, from the records, it 12:44:32 shows that you were let go once in Oklahoma 212:44:03 shows that you were let go once in Oklahoma 212:44:03 cornect? 24  A. No. Because I transferred from my 2 25  A. Reatily on the Indianapolis store. 26  Q. Okay. Now, from the records, it 12:44:32 cornect? 27  Q. Okay. Now, from the records, it 12:44:32 cornect? 38  A. I was with them for I'd say maybe a 19 year. 39  Q. Okay. Now, from the records, it 12:44:32 cornect? 40  Q. Okay.		· · · · · · · · · · · · · · · · · · ·		· · · · · · · · · · · · · · · · · · ·
14   A.	ı	•	13	·
15 A. No. That's wrong. 12:43:18 16 Q. How do you know that's wrong? 17 17 A. Because I was in Florida in '97. 17 18 Q. Okay. How old is your son? 18 19 Q. Why did you go to Oklahoma City. 12:43:35 21 because of Best Buy or because of your family? 21 22 A. Because of my family. 22 23 Q. So it was near their Texas home? 24 24 A. No. sir. I had actually met a 25 25 woman during the times that I went to Texas. 12:43:48 26 Voltage A she was in Oklahoma City. 22 31 Q. Okay. 3 31 A she was in Oklahoma City. 4 4 Q. Is she your current girlfriend or 25 5 someone else? 12:43:57 6 A. This is somebody else. 4 7 Q. So you went to Oklahoma City. What 39 8 position did you hold in Oklahoma City? 4 8 position did you hold in Oklahoma City? 4 9 A. I had to go to the computer senior. 10 I was a computer senior, instead of a 12:44:06 11 supervisor. 20 Q. Okay. So you woved into the 12:44:14 16 computer senior role. How long were you in Oklahoma City when 10 Oklahoma City when 10 Oklahoma City when 10 Oklahoma City whou hold of Oklahoma City who 11 Oklahoma City who 20 Okay. So you woved into the 12:44:14 16 computer senior role. How long were you in Oklahoma City when 10 Oklahoma City when 11 Oklahoma City when 12:44:14 16 computer senior role. How long were you in Oklahoma City when 12:44:14 16 computer senior role. How long were you in Oklahoma City who 12:44:14 16 computer senior role. How long were you in Oklahoma City who 12:44:14 16 computer senior role. How long were you in Oklahoma City who 20 Okay. Now, from the records, it 12:44:32 13 shows that you were let go once in Oklahoma 21:44:06 14 A. No. Because I transferred from my 24 Oklahoma City store to the Indianappolis store. 25 Oklahoma City store to the Indianappolis store. 26 Oklahoma City store to the Indianappolis store. 27 Oklahoma City store to the Indianappolis store. 27 Oklahoma City store to the Indian	14	-	14	•
16 Q. How do you know that's wrong? 17 A. Because I was in Florida in '97. 18 Q. Okay. How old is your son? 19 A. My son right now is nine. 20 Q. Why did you go to Oklahoma City, 12:43:35 21 because of Best Buy or because of your family? 22 A. Because of my family. 23 Q. So it was near their Texas home? 24 A. No, sir. I had actually met a 25 woman during the times that I went to Texas. 26 you have a computer senior considered in Oklahoma City. 27 Q. Okay. 28 A she was in Oklahoma City. 29 Q. I sa she your current girlfriend or 20 Q. So you went to Oklahoma City. 30 A she was in Oklahoma City. 40 Q. Is she your current girlfriend or 50 someone else? 51 I was a computer senior, instead of a 12:44:06 51 I was a computer senior, instead of a 12:44:06 51 I was a computer senior, instead of a 12:44:06 51 I was a computer senior role. How long were you in 10 Oklahoma City with Best Buy? 51 A. I was with them for I'd say maybe a your. 52 Q. Okay. Now, from the records, it 12:44:32 shows that you were let go once in Oklahoma City store to the Indianappolis store. 51 Castleton, Indiana? 52 A. I was the computer supervisor. 53 A. Christopher Riley. 54 A. I was the computer supervisor. 55 A. Christopher Riley. 56 A. This is somebody in 12:45:52 57 A. Christopher Riley. 58 A. I was the computer supervisor. 59 Q. Who called you? 50 A. I had to go to the computer senior. 50 Okay. So you moved into the 12:44:104 51 I was a computer senior, instead of a 12:44:06 51 I was a computer senior role. How long were you in 10 Oklahoma City with Best Buy? 50 Okay. So you moved into the 12:44:14 51 I was with them for I'd say maybe a your. 51 Q. Okay. Now, from the records, it 12:44:32 shows that you were let go once in Oklahoma City store to the Indianappolis store.	15		15	· · · · · · · · · · · · · · · · · · ·
17 A. Because I was in Florida in '97. 18 Q. Okay. How old is your son? 19 A. My son right now is nine. 20 Q. Why did you go to Oklahoma City, 12:43:35 21 because of Best Buy or because of your family? 22 A. Because of my family. 23 Q. So it was near their Texas home? 24 A. No. sir. I had actually met a 25 woman during the times that I went to Texas. 26 your and during the times that I went to Texas. 27 your and during the times that I went to Texas. 28 your and during the times that I went to Texas. 29 A. No. sir. I had actually met a 20 Q. Okay. 21 and 22 Q. Okay. 22 A. Now. that is correct. 23 A. Now that you request, or was 24 this 25 woman during the times that I went to Texas. 26 A. This was Best Buy calling me. 27 Page 31 28 A. I was the computer senior. 29 Q. So you went to Oklahoma City. 30 A. A. Right. 40 Q. Is she your current girlfriend or 41 Someone else? 41 Q. Who called you? 42 Q. Who called you? 43 A. A. Right. 44 Q. Who called you? 45 A. Christopher Riley. 45 A. I was the computer supervisor. 46 Q. Okay. And what did they need you to do in Castleton, Indiana? 47 Q. Who called you? 48 A. I was a computer senior, instead of a 12:44:06 49 Q. Who called you? 50 you went to Oklahoma City. 50 You got any reimbursement of 11 A. The store just already been 12 running. The store wasn't doing well, so I was 13 like you've done from Detroit to Cincinnati? 40 Q. Okay. So you moved into the 12:44:14 41 A. Exactly. 42 Q. Okay. So you moved into the 12:44:14 43 A. I was with them for I'd say maybe a year. 44 Q. Okay. Now, from the records, it 12:44:32 54 You got paid to relocate? 55 You gou moved to Castleton, Indiana. 12:46:33 56 A. This is correct. 57 Q. Okay. Now, from the records, it 12:44:14 57 You got paid to relocate? 58 You gou moved to Castleton, Indiana. 12:46:33 58 A. I was with them for I'd say maybe a year. 59 Q. Okay. Now, from the records, it 12:44:32 50 Q. Okay. Now, from the records, it 12:44:32 51 A. No. Because I transferred from my 52 Oklahoma City store to the Indianapolis store.	16	<del>-</del>	16	
19 A. My son right now is nine.  Q. Why did you go to Oklahoma City, 12:43:35 21 because of Best Buy or because of your family? 22 A. Because of my family. 23 Q. So it was near their Texas home? 24 A. No, sir. I had actually met a 25 woman during the times that I went to Texas. 26 woman during the times that I went to Texas. 27	17		17	
19 A. My son right now is nine.  Q. Why did you go to Oklahoma City, 12:43:35 21 because of Best Buy or because of your family? 22 A. Because of my family. 23 Q. So it was near their Texas home? 24 A. No, sir. I had actually met a 25 woman during the times that I went to Texas. 26 woman during the times that I went to Texas. 27	18	Q. Okay. How old is your son?	18	Q. How do you spell House?
20 Q. Why did you go to Oklahoma City, 12:43:35 21 because of Best Buy or because of your family? 22 A. Because of my family. 23 Q. So it was near their Texas home? 24 A. No, sir. I had actually met a 25 woman during the times that I went to Texas. 26 page 31 27	19		19	· · · · · · · · · · · · · · · · · · ·
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17 relocation with Best Buy. 18 A. I was with them for I'd say maybe a 19 year. 19 Q. You got paid to relocate? 19 A. Paid to relocate. That is correct. 20 Q. Okay. Now, from the records, it 12:44:32 20 Q. So you moved to Castleton, Indiana. 12:46:33 21 shows that you were let go once in Oklahoma 21 And our records show that it was in 2002 when 22 City for job abandonment. Do you recall that? 22 you moved to Castleton, Indiana. And you were 23 A. No. Because I transferred from my 23 let go in January of 2003. Does that seem 24 Oklahoma City store to the Indianapolis store. 24 correct?	l			
18 A. I was with them for I'd say maybe a 19 year. 10 Q. Okay. Now, from the records, it 12:44:32 and our records show that it was in 2002 when 11 And our records show that it was in 2002 when 12 City for job abandonment. Do you recall that? 13 A. No. Because I transferred from my 14 Oklahoma City store to the Indianapolis store. 18 Q. You got paid to relocate? 19 A. Paid to relocate. That is correct. 20 Q. So you moved to Castleton, Indiana. 12:46:33 and our records show that it was in 2002 when 22 you moved to Castleton, Indiana. And you were 23 Let go in January of 2003. Does that seem 24 correct?				· -
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Q. Okay. Now, from the records, it 12:44:32   20 Q. So you moved to Castleton, Indiana. 12:46:33   21   22   23   24   25   26   27   27   28   29   29   29   29   29   29   29				
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23 A. No. Because I transferred from my 24 Oklahoma City store to the Indianapolis store.  23 let go in January of 2003. Does that seem 24 correct?			l	
24 Oklahoma City store to the Indianapolis store. 24 correct?			l	
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9 (Pages 30 to 33)	25	Q. Okay. Well, the records do show 12:44:50	43	A. I call. That's seems correct. 12.40.32

Page 34  In a Chair from the records. Best Buy framed your termination as being terminated for uncthical business practices. Do you recall thut?  A. No. sir.  Q. What do you understand I'm not sure thical busines by practices. Do you recall thut?  A. No. sir.  Q. What do you understand I'm not sure thing you think that the termination was improper. Tight?  A. That is correct Q. What I'm asking you is what did they lell you was the reason why they were they lell you was the reason why the			_	
2 anything with Best Buy being discriminative. 3 unethical business practices. Do you recall 4 that? 5 A. No. sir. 6 Q. What do you understand - I'm not 7 saying obviously you think that the 8 termination was improper. right? 9 A. That is correct. 10 Q. What I'm asking you is what did 11.247:16 they telly ouw as the reason why they were 12 terminating you? 13 A. I was told that there was customer 14 complaints, not necessarily on myself but 15 within the computer department. 15 within the computer department. 16 Q. Okay. 17 A. And because I was the computer 18 supervisor, that I was overall responsible. 19 Q. Were there customer complaints? 20 Q. Were there customer complaints? 21 no, sir. 22 Q. And you filed a charge of 23 discrimination? 24 A. That is correct. 25 Q. Who was your supervisor there? 26 Q. Who was your supervisor there? 27 And based upon the investigation of that store. 28 A. At this time I cannot remember his name. 29 Q. Did you ever, prior to working in 4 the Cleveland area with him, did you ever work 5 with Rankin? 20 Did you was the resolt of your charge 21 A. No. 22 Q. And at Best Buy, at the stores, 12:48:20 23 discrimination? 24 A. That is correct. 25 Q. Who was your supervisor there? 26 A. S. Lows the computer supervisor in the cell rediscrimination? 27 And Desago for the could feel the tension between 12:50:03 28 Initially the provision of that store. 29 And based upon the investigation of that store. 20 And at Best Buy, at the stores, 12:48:20 21 has been supervisor in Indiana, 22 which is the Washington Street, I was the one that supervisor in Indiana, 23 which is the Washington Street, I was the one that you provided in form the Castleton store? 24 A. That is correct. 25 Q. What was Rankin's role there? 26 A. Level for the wash deeperforming. 27 A. A. A. A. Has a general manager. 28 A. Has as a general manager. 39 A. I would say they're number two in the cleveland area with him, did you ever work. 30 A. I would say they're number two in the building. 31 A. I would say they're numbe				
a unethical business practices. Do you recall that?  A. No. sir.  12.47:06 Q. What do you understand - I'm not saying - obviously you think that the surmination was improper, right? A. That is correct. Q. What fin asking you is what did 12.47:16 If they tell you was the reason why they were terminating you? A. I was told that there was customer complaints, not necessarily on myself but within the computer department. Q. Okay. A. A One, I was the only like black male manager steproisor in that entire district. A. And because I was the computer supervisor, that I was overall responsible. Q. Were there customer complaints? Q. What was a hand of the computer department. Q. What was a manager it in, what leads the Clevehand area with him, did you ever work with Rankin? A. At this time I cannot remember his with Rankin? A. At this time I cannot remember his with Rankin? A. At this time I cannot remember his with Rankin? A. Hose it was developed in that store. A. That is correct. Q. What was a Rankin's role there? A. At this time I cannot remember his with Rankin's plant was a least the clevehand area with him, did you ever work with Rankin and the besidding. Q. And was dark involved, or was 12.48:20 where dose the operations manager. Q. And at Deas Bay, at the stores, 12.48:20 where dose the operations manager? Q. And was Mark involved, or was 12.48:31 A. I would say they're number two in the building. Q. And was Mark involved, or was 12.48:43 A. No. Q. How do you know that? 12.48:40 Q. How do you know that? 12.48:40 Q. How do you know that? 12.48:40 Q. What was the resulted from that? 24. A. No. Q. What was the resulted from that? 25. Conditions that we had. That was with a different was indeperdenting you to relocate to Castleton. Indiana? 26. Conditions that we had the first that was with a dissemt. I was shirking 24. A. No. 27. Conditions the was a least was the conditions and the proper in the conditions and the properties of moving back of moving and the properties of moving back in the properties of moving bac				•
4 that?  A. No. sir. 12:47:06  G. What do you understand I'm not saysing obviously you think that the termination was improper; right?  A. That is correct.  G. What I'm asking you is what did 12:47:16 if they tell you was the reason why they were terminating you?  11 they tell you was the reason why they were terminating you?  12 terminating you?  13 A. I was told that there was customer complaints, not necessarily on myself but within the computer department. In the within the computer department. In the wild in the computer department. In the process of moving back to Oklahoma City.  A. That is correct.  G. What I'm asking you is what did 12:47:16 if they tell you was the reason why they were terminating you?  A. And because I was the computer supervisor in that entire district. In additional that there was customer complaints?  G. Okay.  A. And because I was the computer supervisor, that I was overall responsible. In the process of moving back to Oklahoma City. In the process of moving back to Oklahoma City. In the process of moving back to Oklahoma City. In the process of moving back to Oklahoma City. In the process of moving back to Oklahoma City. In the process of moving back to Oklahoma City. In the process of moving back to Oklahoma City. In the process of moving back to Oklahoma City. In the process of moving back to Oklahoma City. In the process of moving back to Oklahoma City. In the process of moving back to Oklahoma City. A laws the one black making the was as unaffered to Oklahoma City. In the building It they tell you was the reason why they were termination? It all the building It they tell you was the reason why they're mimber two in the building It is a process of moving back to Oklahoma City. In the A. One of African Intermination? It all the building It is a process of moving back to Oklahoma City. In the process of moving back to Oklahoma City. In the process of moving back to Oklahoma City. In the Intermination? It all the building It is a process of moving back and It all the proces	ł .			· · · · · · · · · · · · · · · · · · ·
5 Q. What do you understand — I'm not surjuing — obviously you think that the stermination was improper, right?  9 A. That is correct.  10 Q. What I'm asking you is what did 12:47:16 10 Q. What I'm asking you is what did 12:47:16 11 they tell you was the reason why they were terminating you?  13 A. I was told that there was customer complaints, not necessarily on myself but within the computer department.  15 within the computer department.  16 Q. Okay.  17 A. And because I was the computer supervisor, that I was overall responsible.  18 supervisor, that I was overall responsible.  20 A. I've never — not to my knowledge.  21 Q. Okay.  22 Q. And you filed a charge of discrimination?  23 discrimination?  24 A. That is correct.  25 Q. Why why did you believe it was manager supervisor in that store.  26 Q. What was Rankin's role there?  27 A. At this time I cannot remember his name.  28 Q. Okay was your supervisor there?  29 A. At this time I cannot remember his with Rankin?  20 A. Yes. I worked with Mark at the Celeveland area with him, did you ever work with Rankin?  20 A. I would say they're number two in the building.  21 A. I would say they're number two in the building.  22 Q. And was Mark involved, or was 12:48:20 the building.  23 A. I would say they're number two in the building.  24 A. No.  25 Q. Mark was Rankin's role there?  26 A. I would say they're number two in the building.  27 A. I would say they're number two in the building.  28 A. No.  29 Q. How do you know that?  29 Q. How do you know that?  20 Q. How do you know that?  21:248:40  20 Q. And was Sankin involved, or was 12:48:43  21 A. Roe. I had filed Unemployment, was as 12:49:28  22 A. Decause in was underful in the building.  23 A. That is correct.  24 A. That is correct.  25 Q. The Castleton store.  26 Q. How do you know that?  27 A. A that died Unemployment, was as or in the grace of the termination?  28 A. That is del Unemployment in the train of A. Decause in the was not of African the trine distinct.  29 A. He was the operations manager.	ĭ	-		•
6 A. I had filed Unemployment, was also in the termination was improper, right? 9 A. That is correct. 10 Q. What I'm asking you is what did 12:47:16 they tell you was the reason why they were terminating you? 11 they tell you was the reason why they were terminating you? 12 terminating you? 13 A. I was told that there was customer complaints, not necessarily on myself but within the computer department. 12:47:30 to Q. Okay. 14 A. And because I was the computer supervisor, that I was overall responsible. 15 within the computer department. 12:47:30 to Q. Okay. 16 Q. Okay. 17 A. I would as werall responsible. 18 Q. Were there customer complaints? 29 A. Twe never - not to my knowledge. 12:47:41 to no. sir. 20 Q. And you filed a charge of discrimination? 21 discrimination? 22 A. That is correct. 23 discrimination? 24 A. That is correct. 25 Q. Who was your supervisor there? 26 A. That is correct. 27 Q. Who was your supervisor there? 28 A. At this time I cannot remember his name. 3 Q. Did you ever, prior to working in 4 the Cleveland area with him, did you ever work with Rankin? 3 A. I would say they're number two in 14 the building. 4 He was the operations manager? 5 Q. What was Rankin's role there? 5 Q. What was Rankin's role there? 6 A. I would say they're number two in 14 the building. 6 A. No. 7 Man was Mark involved, or was 12:48:30 the building. 7 I was working at another store in Lisoney. 8 Q. Yes 8 A. No. 9 C. What was the result of your charge. 9 A. I would say they're number two in 14 the building. 10 Q. And was Mark involved, or was 12:48:30 the building. 11 A. I would say they're number two in 15 Q. And was Mark involved, or was 12:48:30 the policy of discrimination? What resulted from that? 12 (Q. Wes 13 A. I would say they're number two in 16 the building. 14 C. One. I was the only like black male transmitter acception in the store. 12:50:19 the processor in only back in the tense in 12:40:47:40 the resulted from that? 24 A. I would say they're number two in 16 the building. 25 Q. What was the computer				
7 saying obviously you think that the termination was improper, right? 8 termination was improper, right? 9 A. That is correct. 10 Q. What I'm asking you is what did they telly you was the reason why they were terminating you? 11 they telly you was the reason why they were terminating you? 12 A. I was told that there was customer complaints, not necessarily on myself but within the computer department. 15 within the computer department. 16 Q. Okay. 17 A. And because I was the computer supervisor; that I was overall responsible. 18 supervisor; that I was overall responsible. 19 Q. Were there customer complaints? 20 A. I've never not to my knowledge. 21 no, sir. 22 Q. And you filed a charge of 23 discrimination? 23 discrimination? 24 A. That is correct. 25 Q. Who was your supervisor there? 26 A. At this time I cannot remember his name. 3 Q. Did you ever, prior to working in the Cleveland area with him, did you ever work with Rankin? 3 A. At this time I cannot remember his name. 4 the Cleveland area with him, did you ever work with Rankin? 5 (2) And a Bess Buy, at the stores, 12 48:10 6 A. Yes. I worked with Mark at the Cleveland area with him, did you ever work with Rankin? 12 lever? 13 A. I would say they're number two in the broom of the pressuring people to buy stuff, and that's why were doing so well. 14 the building. 15 Page 37 16 Rankin involved in your discharge? 17 A. I would say they're number two in the broom of the pressuring people to buy stuff, and that's why were doing so well. 18 the reason why they were doing so well. 19 pressuring people to buy stuff, and that's why were does the operations manager. 10 Q. And was Mark involved, or was 12:48:13 10 A. I would say they're number two in the pressuring people to buy stuff, and that's why were doing so well. 19 pressuring people to buy stuff, and that's why were doing so well. 20 Q. Of another store? 21 A. House a general manager. 22 Q. So Christopher Riley is who you prointed to ase concurging you to relocate to Castleton, Indiana. 24 Q. What wa	5		-	, , , , , , , , , , , , , , , , , , ,
8 termination was improper, right? 9 A. That is correct. 10 Q. What I'm asking you is what did 12:47:16 11 they tell you was the reason why they were terminating you? 13 A. I was told that there was customer complaints, not necessarily on myself but within the computer department. 14 complaints, not necessarily on myself but within the computer department. 15 within the computer department. 16 Q. Okay. 17 A. And because I was the computer supervisor: that le was overall responsible. 18 supervisor: that I was overall responsible. 19 Q. Were there customer complaints? 20 A. I've never - not to my knowledge, 12:47:41 21 no, sir. 21 Q. And you filed a charge of discrimination? 22 A. That is correct. 23 Q. Who was your supervisor there? 24 A. That is correct. 25 Q. Who was your supervisor there? 26 A. At this time I cannot remember his name. 27 Q. Did you ever, prior to working in the the Ceastleon, fixing at another store in Indiana. 28 Q. What was Rankin's role there? 29 A. He was the operations manager. 30 Q. Did you ever, prior to working in the the Ceastleon store. 31 Q. Did you ever, prior to working in the the Ceastleon store. 32 Q. What was Rankin's role there? 33 A. I would say they're number two in the the chartent calification. 34 A. That is correct. 35 Q. What was Rankin's role there? 36 A. A turn of the was the poperations manager. 37 Page 37 Page 37 Page 37 Page 37 Page 37 Pressuring people to buy staff, and that's why wow were doing so well. 38 A. I would say they're number two in the the building. 49 A. No. 40 Contact the castleton store. 40 Q. And was Mark involved, or was 12:48:32 to the building. 41 A. One. 42 A. That is correct. 43 A. He was a general manager. 44 D. One. I was the one find the Castleton store. 45 I was working at another store in Indiana. 46 the play? 47 I was working at another store in Indiana. 48 A. He was a general manager. 49 Q. Of another store? 40 Q. Of another store? 40 Q. Of another store? 41 A. I would asy they're number two in the building. 42 A. That is correct. 43 A.	6	· · · · · · · · · · · · · · · · · · ·	6	
9 Q. Okay. Why did you believe it was 10 they telly our was the reason why they were 12 terminating you? 13 A. I was told that there was customer 14 complaints, not necessarily on myself but 15 within the computer department. 15 within the computer department. 16 Q. Okay. 17 A. And because I was the computer 18 supervisor, that I was overall responsible. 19 Q. Were there customer complaints? 20 A. I've never not to my knowledge, 12:47:41 21 no, sir. 22 Q. And you filed a charge of discrimination? 23 discrimination? 24 A. That is correct. 25 Q. Who was your supervisor there? 26 Q. Who was your supervisor there? 27 Q. Did you ever, prior to working in the the Cleveland area with him, did you ever work with Rankin? 28 A. At this time I cannot remember his name. 39 Q. Did you ever, prior to working in the the Cleveland area with him, did you ever work with Rankin? 40 Castleton location. 41 A. I would say they're number two in the binding. 42 A. I would say they're number two in the binding. 43 A. I would say they're number two in the binding. 44 Castleton location. 45 Q. Yes 46 Q. Yes 47 A. Involved in my discharge? 47 A. Involved in my discharge? 48 A. No. 49 Yes 40 Q. What was the result of your charge of discrimination? What resulted fron that? 40 Q. What was the result of your charge of discrimination? What resulted fron that? 40 Q. What was the result of your charge of the conversations that we had. That was with a district. 41 A. One. I was the only like black male ananager ediscrimination? 42 A. And this time tentre district. 43 And Christopher Riley, he's not of African district. 44 A. And this time tentre district. 45 A. A this is aminority. And fron what I is know, that the Castleton lording in with his people, brought his people in such the castleton that the castleton that store. 42 And based u	7		7	· · · · · · · · · · · · · · · · · · ·
10   Q.   What I'm asking you is what did   12:47:16   11   they tell you was the reason why they were terminating you?	8	termination was improper, right?	8	
they tell you was the reason why they were terminating you?  1	9	A. That is correct.	9	Q. Okay. Why did you believe it was
terminating you?  A. I was told that there was customer complaints, not necessarily on myself but within the computer department.  12 within the computer department.  13 A And because I was the computer supervisor, that I was overall responsible.  14 Q. Okay.  15 Were there customer complaints?  16 Q. Whay there has been computer supervisor, that I was overall responsible.  17 A. And because I was the computer supervisor, that I was overall responsible.  18 Supervisor, that I was overall responsible.  19 Q. Were there customer complaints?  10 A. I've never—not to my knowledge.  11 A. At you filed a charge of discrimination?  12 A. That is correct.  13 And Christopher Riley, be's not of African there. We got it up and running, He's a young up. The district staff was older, white male up. The district staff was cut-with specific by up and running, He's a young up. The district staff was cut-with specific by up and running, He's a young up. The district staff was cut-with specific by up and running, He's a young up. The district staff was cut-with specific bad store, underpreforming store. Chris came to miscretist staff the district.  18 dassent, but he is a minority, and drawning the substance up. The district staff was cut-with specific bad store.  19 page 37  10 page 37  11 page 37  12 pressuring people to buy stuff, and thaf's why up. The page 37	10	Q. What I'm asking you is what did 12:47:16	10	race discrimination? 12:49:28
A. I was told that there was customer omplaints, not necessarily on myself but within the computer department.  Q. Okay.  A. And because I was the computer supervisor, that I was overall responsible. Q. Were there customer complaints? Q. And you filed a charge of og. Who was your supervisor there? Q. Who was your supervisor there? Q. Who was your supervisor there? Q. Who was your supervisor there? A. At this time I cannot remember his name. Q. Did you ever, prior to working in the Cleveland area with him. did you ever work with Rankin? Q. What was Rankin's role there? A. He was the operations manager. Q. And all Best Buy, at the stores, I 248:20 the the cleveland area with him. did you was the cleveland area with him. what I dissent, but he is a minority. And from what I is dissent, but he is a minority. And from what I is dissent, but he is a minority. And from what I is dissent, but he is a minority. And from what I is dissent, but he is a minority. And from what I is dissent, but he is a minority. And from what I is dissent, but he is a minority. And from what I is dissent, but he is a minority. And from what I is dissent, but he is a minority. And from what I is dissent, but he is a minority. And from what I is dissent, but he is a minority. And from what I is dissent, but he is a minority. And from what I is dissent, but he is a minority. And from what I is dissent, but he is a minority. And from what I is dissent, but he is a minority. And from what I is dissent, but he is a minority. And from what I is knew, that the Castletis staff was older, what the Castleton store.  A. A this time I cannot remember his name.  A. A this time I cannot remember his name.  A. A this time I cannot remember his name.  A. A this time I cannot remember his name.  A. A this time I cannot remember his name.  A. A this time I cannot remember his name.  A. A this time I cannot remember his name.  A. A this time I cannot remember his name.  A. A this time I cannot remember his name.  A. A this time I cannot remember his name.  A.	11	they tell you was the reason why they were	11	A. One, I was the only like black male
the complaints, not necessarily on myself but the complaints, not necessarily on myself but the complaints, not necessarily on myself but the Country of the Castleton and the	12	terminating you?	12	manager supervisor in that entire district.
15 within the computer department.  12-47:30 16 Q. Okay. 17 A. And because I was the computer supervisor, that I was overall responsible. 18 supervisor, that I was overall responsible. 29 A. I've never not to my knowledge. 21 no, sir. 21 Q. And you filed a charge of discrimination? 22 A. That is correct. 23 Inm. He was actually suspended in that store. 24 A. That is correct. 25 Q. Who was your supervisor there? 26 A. At this time I cannot remember his aname. 27 A. At this time I cannot remember his the Cleveland area with him, did you ever work with Rankin? 28 In A. At this time I cannot remember his the Cleveland area with him, did you ever work with Rankin? 39 Q. Did you ever, prior to working in the Cleveland area with him, did you ever work with Rankin? 40 Q. What was Rankin's role there? 51 Q. What as Rankin's role there? 52 And at Best Buy, at the store, 12-48-10 Q. And at Best Buy, at the store, 12-48-20 In the building. 53 Q. And was Mark involved, or was the building. 54 Q. Yes. 55 Q. And was Mark involved, or was the operations manager fit in, what the building. 56 Q. How do you know that? 57 A. Involved in my discharge? 58 Q. How do you know that? 59 Q. How do you know that? 50 Q. How do you know that? 50 Q. How do you know that? 51 A. No. 52 Q. What was the result of your charge of discrimination? What resulted from that? 51 A. Ro. 52 Q. What was the result of your charge of discrimination? What resulted from that? 51 A. Because he never sat down in any of discrimination? What resulted from that? 51 A. Because he never sat down in any of discrimination? What resulted from that? 51 C. A. How what his dissent. I was thinking district staff. 52 Q. What was the result of your charge of discrimination? What resulted from that? 53 C. Okay. Why would you say you don't 20-48-11-12-12-12-12-12-12-12-12-12-12-12-12-	13	A. I was told that there was customer	13	And Christopher Riley, he's not of African
16 Q. Okay. A. And because I was the computer supervisor, that I was overall responsible. Q. Were there customer complaints? A. I 've never not to my knowledge. 12:47:41 no, sir. Q. And you filed a charge of 23 discrimination? A. That is correct. 25 Q. Who was your supervisor there? 26 A. At this time I cannot remember his name.  Q. Did you ever, prior to working in 4 the Cleveland area with him, did you ever work with Rankin?  Q. What was Rankin's role there? A. He was the operations manager. Casteton location. Q. What was Rankin's role there? A. He was the operations manager fit in, what le level? A. I would say they're number two in the building. Q. Wes. A. No. Q. What was the result of your charge 2. A. Because he never sat down in any of 2. discrimination? What resulted from that? A. Because he never sat down in any of 2. discrimination? What resulted from that? A. A thooled in my discharge? A. Do Glascrimination? A. A this time I cannot remember his name.  12:40:40:40:40:40:40:40:40:40:40:40:40:40:	14	complaints, not necessarily on myself but	14	dissent, but he is a minority. And from what I
A. And because I was the computer supervisor, that I was overall responsible. Q. Were there customer complaints? A. I've never not to my knowledge, 12:47:40 12 no, sir. Q. And you filed a charge of discrimination? Q. Who was your supervisor there? 12:47:50 25 Q. And you filed a charge of discrimination? 26 A. That is correct. Q. Who was your supervisor there? 27 And based upon the investigation of that store. 28 I was working at another store in Indiana, which is the Washington Street, I was the one that got let go, because they felt we were 12:50:19 26 A. At this time I cannot remember his name. 27 I page 35 name. 28 Q. Did you ever, prior to working in the Cleveland area with him, did you ever work with Rankin? 29 A. Yes. I worked with Mark at the Castleton location. Q. What was Rankin's role there? Q. And at Best Buy, at the stores, 12:48:20 11 where does the operations manager. 12 level? 12 level? 13 A. I would say they're number two in the building. Q. And was Mark involved, or was 12:48:32 16 Rankin involved in your discharge? 17 A. Involved in my discharge? 18 Q. Yes. 19 A. No. 20 Q. How do you know that? 21 the conversations that we had. That was with a district staff. 22 G. What was the result of your charge of discrimination? What resulted from that? 23 Level? 24 A. Christopher Riley, way back in Florida, when I was part-time he was full-time. 25 Of discrimination? What resulted from that? 26 Of discrimination? What resulted from that? 27 Involved in my discharge? 28 A. I would say they're number two in the building. 29 A. Involved in my discharge? 30 A. I would you know that? 31 A. I would you know that? 42 B. Christopher Riley way back in Florida, when I was part-time he was full-time. 43 C. Of discrimination? What resulted from that? 44 C. Christopher Riley. 45 A. Christopher Riley. 46 A. Christopher Riley. 47 A. Horit know what his dissent. I was thinking district staff. 48 A. Christopher Riley. 49 A. Christopher Riley. 40 A. Cokay. Why would you say you don't the conversations that we had. Tha	15	within the computer department. 12:47:30	15	know, that the Castleton, Indiana store was a 12:49:47
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19   Q. Were there customer complaints?   A. I've never not to my knowledge,   12:47:41   20 gender, and we could feel the tension between   12:50:03   12:50:03   12:50:03   13:50:03	18	•	18	
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A. He was the operations manager.  Q. And at Best Buy, at the stores, 12:48:20  Where does the operations manager fit in, what  level?  A. I would say they're number two in  the building.  Q. And was Mark involved, or was 12:48:32  Rankin involved in your discharge?  A. Involved in my discharge?  A. Involved in my discharge?  A. No.  Q. How do you know that? 12:48:40  Q. How do you know that? 12:48:40  A. Because he never sat down in any of the conversations that we had. That was with a district staff.  Q. What was the result of your charge of discrimination? What resulted from that? 12:48:54  A. How was the store to the East Washington Street store to 12:50:36  help that store that was underperforming.  Q. So initially Christopher Riley is  who you pointed to as encouraging you to relocate to Castleton, Indiana?  A. That is correct. 12:50:48  Q. How did Christopher Riley get to  know you?  18 A. Christopher Riley, way back in  19 Florida, when I was part-time he was full-time.  Q. What minority is Christopher Riley? 12:50:58  A. I don't know what his I honestly  do not know what his dissent. I was thinking  3 A. I don't know.  Q. Okay. Why would you say you don't  know, because he doesn't resemble an Asian, or 12:51:12	ſ			
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17 A. Involved in my discharge? 18 Q. Yes. 19 A. No. 19 Florida, when I was part-time he was full-time. 20 Q. How do you know that? 21 A. Because he never sat down in any of the conversations that we had. That was with a district staff. 22 Q. What mainority is Christopher Riley? 23 A. I don't know what his I honestly do not know what his dissent. I was thinking 24 Q. What was the result of your charge 25 Okay. Why would you say you don't 26 know, because he doesn't resemble an Asian, or 12:51:12		•	ı	
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10 (P. 04) 08	25	of discrimination? What resulted from that? 12:48:54	25	know, because he doesn't resemble an Asian, or 12:51:12
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	n 50		Page 52
1	Page 50 A. No. He didn't say anything to that	i	Ohio?
2	extent.	2	A. Right. It was more money, first of
3	Q. So Nathan gives your number to Mark	3	all.
4	Rankin?	4	Q. More money than Blockbuster?
5	A. That is correct. 13:01:42	5	A. That is correct. 13:03:29
6	Q. And Mark Rankin, is he a minority?	6	Q. And, obviously, I'm assuming that
7	A. Mark Rankin, no.	7	even though you were terminated you didn't have
8	Q. What, he's a white male?	8	bad feelings about Best Buy?
9	A. A white male.	9	MS. ROWLES: Objection. Go ahead.
10	Q. So he gives the number to Mark 13:01:49	10	A. I had trusted the people more than, 13:03:38
11	Rankin, Mark calls you up?	11	less I would say than Best Buy.
12	A. Yes. Calls me on the phone.	12	Q. Meaning Mark Rankin?
13	Q. And he essentially recruits you to	13	A. Yes. Like Mark Rankin. And I
14	come to Cleveland?	14	worked with him before. He was a co-worker.
15	A. Yes. Come to the Mayfield store. 13:02:01	15	Q. And up to this point, up to the 13:03:55
16	Q. Were you paid to make that move, or	16	point when Mark calls you and says, hey, how
17	did you	17	about Ohio
18	A. No. Not at all. I moved on my	18	A. Right.
19	own.	19	Q aside from the Castleton,
20	Q. You moved on your own. You brought 13:02:07	20	Indiana termination, had you had any other 13:04:04
21	your son?	21	problems or issues with Best Buy?
22	A. Yes. Brought my son with me.	22	A. No.
23	Q. And then you met your girlfriend in	23	Q. Okay.
24	the Cleveland area, your current girlfriend?	24	A. Actually, no.
25	A. No. My current, current girlfriend 13:02:15	25	Q. And up to that point, did anybody 13:04:12
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1	is somebody from way back home in Florida.	1	at Best Buy and when I say up to that point,
2	is somebody from way back home in Florida.  Q. Okay. When did you how old is	2	at Best Buy and when I say up to that point, when Mark Rankin's calling you, you're in
2	is somebody from way back home in Florida.  Q. Okay. When did you how old is your daughter?	2	at Best Buy and when I say up to that point, when Mark Rankin's calling you, you're in Oklahoma City with your son?
2 3 4	is somebody from way back home in Florida.  Q. Okay. When did you how old is your daughter?  A. My daughter is one-and-a-half.	2 3 4	at Best Buy and when I say up to that point, when Mark Rankin's calling you, you're in Oklahoma City with your son?  A. Right.
2 3 4 5	is somebody from way back home in Florida.  Q. Okay. When did you how old is your daughter?  A. My daughter is one-and-a-half.  She'll be two on August 28th. 13:02:26	2 3 4 5	at Best Buy and when I say up to that point, when Mark Rankin's calling you, you're in Oklahoma City with your son?  A. Right. Q. At that point, had anybody from 13:04:19
2 3 4 5 6	is somebody from way back home in Florida.  Q. Okay. When did you how old is your daughter?  A. My daughter is one-and-a-half.  She'll be two on August 28th. 13:02:26  Q. When did your current girlfriend	2 3 4 5 6	at Best Buy and when I say up to that point, when Mark Rankin's calling you, you're in Oklahoma City with your son?  A. Right. Q. At that point, had anybody from 13:04:19 Best Buy, an employee, ever made any race based
2 3 4 5 6 7	is somebody from way back home in Florida.  Q. Okay. When did you how old is your daughter?  A. My daughter is one-and-a-half.  She'll be two on August 28th. 13:02:26  Q. When did your current girlfriend start when did you start dating her again?	2 3 4 5 6 7	at Best Buy and when I say up to that point, when Mark Rankin's calling you, you're in Oklahoma City with your son?  A. Right. Q. At that point, had anybody from 13:04:19 Best Buy. an employee, ever made any race based comments to you?
2 3 4 5 6 7 8	is somebody from way back home in Florida.  Q. Okay. When did you how old is your daughter?  A. My daughter is one-and-a-half.  She'll be two on August 28th. 13:02:26  Q. When did your current girlfriend start when did you start dating her again?  MS. ROWLES: Objection. Go ahead.	2 3 4 5 6 7 8	at Best Buy and when I say up to that point, when Mark Rankin's calling you, you're in Oklahoma City with your son?  A. Right. Q. At that point, had anybody from 13:04:19 Best Buy. an employee, ever made any race based comments to you?  A. Say that one more time.
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2 3 4 5 6 7 8 9	is somebody from way back home in Florida.  Q. Okay. When did you how old is your daughter?  A. My daughter is one-and-a-half.  She'll be two on August 28th. 13:02:26  Q. When did your current girlfriend start when did you start dating her again?  MS. ROWLES: Objection. Go ahead.  Q. As to this most current, do you understand when I say dating 13:02:37	2 3 4 5 6 7 8 9	at Best Buy and when I say up to that point, when Mark Rankin's calling you, you're in Oklahoma City with your son?  A. Right. Q. At that point, had anybody from 13:04:19 Best Buy. an employee, ever made any race based comments to you?  A. Say that one more time. Q. Well, when Mark is calling and you you're making the decision whether to return to 13:04:31
2 3 4 5 6 7 8 9 10	is somebody from way back home in Florida.  Q. Okay. When did you how old is your daughter?  A. My daughter is one-and-a-half.  She'll be two on August 28th. 13:02:26  Q. When did your current girlfriend start when did you start dating her again?  MS. ROWLES: Objection. Go ahead.  Q. As to this most current, do you understand when I say dating 13:02:37  A. Right. It makes sense. This would	2 3 4 5 6 7 8 9 10	at Best Buy and when I say up to that point, when Mark Rankin's calling you, you're in Oklahoma City with your son?  A. Right. Q. At that point, had anybody from 13:04:19 Best Buy. an employee, ever made any race based comments to you?  A. Say that one more time. Q. Well, when Mark is calling and you you're making the decision whether to return to 13:04:31 Best Buy, and not only return to Best Buy but
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	is somebody from way back home in Florida.  Q. Okay. When did you how old is your daughter?  A. My daughter is one-and-a-half.  She'll be two on August 28th. 13:02:26  Q. When did your current girlfriend start when did you start dating her again?  MS. ROWLES: Objection. Go ahead.  Q. As to this most current, do you understand when I say dating 13:02:37  A. Right. It makes sense. This would have been let's see. It would have been the September of the year that I had came back to Best Buy.  Q. So you came back to Cleveland Best 13:02:55  Buy?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	at Best Buy and when I say up to that point, when Mark Rankin's calling you, you're in Oklahoma City with your son?  A. Right. Q. At that point, had anybody from 13:04:19 Best Buy. an employee, ever made any race based comments to you?  A. Say that one more time. Q. Well, when Mark is calling and you you're making the decision whether to return to 13:04:31 Best Buy. and not only return to Best Buy but move to Ohio, had you know, I'm not asking you about what happened after that. We'll get to that. Up to that point in time you've been employed in West Palm Beach, Atlanta, Oklahoma 13:04:44 City, and Indiana Best Buy stores, right?
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	is somebody from way back home in Florida.  Q. Okay. When did you how old is your daughter?  A. My daughter is one-and-a-half.  She'll be two on August 28th. 13:02:26  Q. When did your current girlfriend start when did you start dating her again?  MS. ROWLES: Objection. Go ahead.  Q. As to this most current, do you understand when I say dating 13:02:37  A. Right. It makes sense. This would have been let's see. It would have been the September of the year that I had came back to Best Buy.  Q. So you came back to Cleveland Best 13:02:55  Buy?  A. At the Mayfield store.  Q. Was she living in Ohio, or how did you make that connection again?  A. Just kept in touch, talking to her, 13:03:06 things like that. Then she came on out. That was September.  Q. Okay. So Mark called you, and you	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	at Best Buy and when I say up to that point, when Mark Rankin's calling you, you're in Oklahoma City with your son?  A. Right.  Q. At that point, had anybody from 13:04:19  Best Buy. an employee, ever made any race based comments to you?  A. Say that one more time.  Q. Well, when Mark is calling and you you're making the decision whether to return to 13:04:31  Best Buy, and not only return to Best Buy but move to Ohio, had you know, I'm not asking you about what happened after that. We'll get to that. Up to that point in time you've been employed in West Palm Beach, Atlanta, Oklahoma 13:04:44  City, and Indiana Best Buy stores, right?  A. Right.  Q. Had anybody during Atlanta, West  Palm Beach, Oklahoma City or the Indiana stores ever made any race based comments to you? 13:04:58  A. Made a race comment to me?  Q. Yeah. Like a slur, like anything that was other than a joke that you took as

		T	
١,	Page 54	۱	Page 56 Q. Only a few days?
	offense of, no. But there was jokes made at Castleton, at the Castleton store.	2	A. Yes. Just a few days.
2		3	O. So was Mark married at the time?
3	Q. The Castleton store you believe there was jokes made, and somewhat	4	A. Yes. He was married.
4		5	
5			,
6	A. Yes. We're off off the premises	6	they have any kids?
7	of a Best Buy, a fellowshiping with other	7	A. It was him, his wife, his daughter
8	managers, yeah.	8	and his son. He had a son, too.
9	Q. Did Mark Rankin ever make any of	9	Q. Where were they on vacation?
10	those jokes? 13:05:35	10	A. Oh, I cannot even remember. 13:07:09
11	A. Yes.	11	Q. Were they driving back through
12	Q. He did?	12	Oklahoma City?
13	A. Yes.	13	A. No. They were driving back from
14	Q. Okay. But you nonetheless trusted	14	somewhere back to, back to Akron. They were
15	Mark enough to accept employment with him in 13:05:42	15	coming up from somewhere. I had met him coming 13:07:20
16	Ohio?	16	from Oklahoma City to find my way to where he
17	A. That is correct.	17	was at.
18	Q. How many jokes had Mark made?	18	Q. Okay. So you guys had planned to
19	A. I honestly couldn't sit here and	19	meet somewhere in the middle, and you'd follow
20	tell you how many, at this time, how many jokes 13:05:51	20	him the rest of the way? 13:07:32
21	that he made.	21	A. No. Didn't even plan. It was
22	Q. Okay.	22	pretty much while I'm driving, he's calling
23	A. And I will say it was, the jokes	23	saying, hey, I'm coming back from vacation.
24	that was presented, again, it was off the	24	I'm like, hey, I'm at such and such a place.
25	clock, off the time. It was nothing that 13:05:59	25	I'm very close by there, whatnot, you know. 13:07:43
	Dan. 55		D 67
1.	Page 55 offended me in any way, no.	1	Page 57 Actually, yeah, that's exactly how that
2	Q. So they didn't offend you, they	2	happened. He called me, and we kind of met up.
] 3	were just jokes?	3	It was nothing that was like prearranged or
1	A. Right. That is correct.	4	anything.
5	Q. Were the two of you just joking in 13:06:07	5	Q. Was it prearranged for you to stay 13:07:56
6	general how people can make, you made a joke	6	at his home for some time?
7	about Mark	7	A. No. sir.
8	A. About something, yeah. And	8	Q. So you came up, and instead of
9	everybody laughs.	9	•
10		1	getting a hotel or something like that, you
1		10	stayed at his house? 13:08:05
111	was offended, it was truly joking between two	11	A. That is correct.
12	people, but there was some race involved?	12	Q. After that had you ever stayed at
13	A. Not joking between two people. It	13	his house for any extended periods of time?
14	was just a person like telling a joke or	14	A. Oh, no, sir.
15	something, and then just everybody laughs. 13:06:29	15	Q. So it was just that. Was your son 13:08:11
16	Q. But you weren't offended by it?	16	with you?
17	A. I wasn't offended by it. That is	17	A. Yes. My son was with me for a
	соптест.	18	short time. He was there for the first couple
18		19	of days. But for that time, I had sent my son
	Q. Okay. So Mark calls you, you go up	1 1 7	• • • • • • • • • • • • • • • • • • • •
18	Q. Okay. So Mark calls you, you go up to Cleveland. Did you actually live with Mark 13:06:39	20	to Atlanta to my dad's. 13:08:24
18 19 20 21	Q. Okay. So Mark calls you, you go up to Cleveland. Did you actually live with Mark 13:06:39 for a certain period of time?		· · · · · · · · · · · · · · · · · · ·
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18 19 20 21 22 23	Q. Okay. So Mark calls you, you go up to Cleveland. Did you actually live with Mark 13:06:39 for a certain period of time?  A. I stayed with Mark, because I followed him actually, he was coming up from	20 21	to Atlanta to my dad's. 13:08:24  Q. So you start in what store in the
18 19 20 21 22	Q. Okay. So Mark calls you, you go up to Cleveland. Did you actually live with Mark 13:06:39 for a certain period of time?  A. 1 stayed with Mark, because I	20 21 22	to Atlanta to my dad's. 13:08:24 Q. So you start in what store in the Cleveland area?
18 19 20 21 22 23	Q. Okay. So Mark calls you, you go up to Cleveland. Did you actually live with Mark 13:06:39 for a certain period of time?  A. I stayed with Mark, because I followed him actually, he was coming up from	20 21 22 23	to Atlanta to my dad's. 13:08:24 Q. So you start in what store in the Cleveland area? A. I start in the Mayfield.

1			
١.	Page 58	1	Page 60 Q. Okay. And so Mark Rankin and the
	<ul><li>A. I was the tech senior.</li><li>Q. And was this I think from our</li></ul>	1	*
2	•	3	store in Mayfield promote you to the PC area
3	discussion, this would be the fourth time, based on your recollection, that Best Buy hired	4	manager position?  A. Mark Rankin.
5	you? I have two in Florida, one in Atlanta, 13:08:47	5	O. Mark Rankin? 13:10:57
6	one in Ohio.	6	A. Right.
7	A. That is correct.	7	Q. Why do you say it's just Mark
8	Q. And you said that the Oklahoma City	8	Rankin?
9	was a transfer, and you remained employed all	9	A. He was the only one that was
10	the way to Castleton, Indiana? 13:09:01	10	sitting in the interview. 13:11:03
11	A. Right. I got transferred from	11	Q. Presumably he had to get the okay
12	Oklahoma City. That's how I was able to get a	12	from somebody else, right?
13	relocation, because I was an employee there.	13	A. No.
14	Q. Okay. And so hired, you've been	14	O. You don't think he had to?
15	hired in total four times by Best Buy? 13:09:09	15	A. No. 13:11:11
16	A. That is correct.	16	Q. Okay. So Mark Rankin promotes you.
17	Q. Okay. And so you come as a tech	17	And you change stores?
18	senior at Mayfield. What was Mark Rankin's	18	A. That is correct.
19	position?	19	Q. Why?
20	A. He was the sales manager. 13:09:19	20	A. Well, because we was a brand new 13:11:21
21	Q. Did you report to Mark at that	21	store, and it was time to start getting a lot
22	time?	22	of things done to get it open.
23	A. Yes. He was my immediate boss.	23	Q. What was that, the new store that
24	Q. How long did you stay at the	24	you transferred to?
25	Mayfield store? 13:09:31	25	A. The new store that I transferred to 13:11:32
	<u> </u>		
l	Page 59		
			Page 61
1	A. It wasn't very long. I want to say	1	wasn't even built yet.
2	A. It wasn't very long. I want to say maybe a few months.	2	wasn't even built yet. Q. And that was in Macedonia?
2 3	A. It wasn't very long. I want to say maybe a few months.      Q. Okay. Were you promoted at all	2	wasn't even built yet.  Q. And that was in Macedonia?  A. That's the Macedonia location.
2 3 4	A. It wasn't very long. I want to say maybe a few months.  Q. Okay. Were you promoted at all while you were there?	2 3 4	wasn't even built yet.  Q. And that was in Macedonia?  A. That's the Macedonia location.  Q. And did Mark Rankin move with you?
2 3 4 5	A. It wasn't very long. I want to say maybe a few months.  Q. Okay. Were you promoted at all while you were there?  A. Yes. I was promoted. 13:09:49	2 3 4 5	wasn't even built yet. Q. And that was in Macedonia? A. That's the Macedonia location. Q. And did Mark Rankin move with you? A. Yes. That was his store that he 13:11:41
2 3 4 5 6	A. It wasn't very long. I want to say maybe a few months.  Q. Okay. Were you promoted at all while you were there?  A. Yes. I was promoted. 13:09:49  Q. To what?	2 3 4 5 6	wasn't even built yet.  Q. And that was in Macedonia?  A. That's the Macedonia location.  Q. And did Mark Rankin move with you?  A. Yes. That was his store that he 13:11:41 was taking over. He got a promotion.
2 3 4 5 6 7	A. It wasn't very long. I want to say maybe a few months.  Q. Okay. Were you promoted at all while you were there?  A. Yes. I was promoted. 13:09:49  Q. To what?  A. To the PC area manager.	2 3 4 5 6 7	wasn't even built yet.  Q. And that was in Macedonia?  A. That's the Macedonia location.  Q. And did Mark Rankin move with you?  A. Yes. That was his store that he 13:11:41 was taking over. He got a promotion.  Q. What position did he hold in
2 3 4 5 6 7 8	A. It wasn't very long. I want to say maybe a few months.  Q. Okay. Were you promoted at all while you were there?  A. Yes. I was promoted. 13:09:49  Q. To what?  A. To the PC area manager.  Q. By Mark Rankin?	2 3 4 5 6 7 8	wasn't even built yet.  Q. And that was in Macedonia?  A. That's the Macedonia location.  Q. And did Mark Rankin move with you?  A. Yes. That was his store that he 13:11:41 was taking over. He got a promotion.  Q. What position did he hold in Macedonia?
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2 3 4 5 6 7 8 9 10	A. It wasn't very long. I want to say maybe a few months.  Q. Okay. Were you promoted at all while you were there?  A. Yes. I was promoted. 13:09:49  Q. To what?  A. To the PC area manager.  Q. By Mark Rankin?  A. Yes. By Mark Rankin.  Q. Okay. So at this point you were 13:09:58 promoted in Ohio. Did you receive any	2 3 4 5 6 7 8 9 10	wasn't even built yet.  Q. And that was in Macedonia?  A. That's the Macedonia location. Q. And did Mark Rankin move with you? A. Yes. That was his store that he 13:11:41 was taking over. He got a promotion. Q. What position did he hold in Macedonia?  A. General manager. Q. So Mark is promoted. And then I'm 13:11:50 assuming he comes to you and asks you to move
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١.	Page 66	١,	Page 68
1	Q. Okay. How long were you, was this	1	Q. Did you have any when it's PC
2	team working out of a hotel to get the store	2	arca, what is that? Is that like the computer
3	set up, approximately?	3	department or what
4	A. I would say maybe two, three	4	A. Right. Computer and computer
5	months. 13:16:16	5	services. 13:18:20
6	Q. While the store is being built and	6	Q. Okay. Computer services as well.
7	set up?	7	What does that what's computer services?
8	A. Built and things, yes, sir.	8	A. Oh, that's like, you know, if your
9	Q. Okay. When did the Macedonia store	9	computer is not functioning properly, you can
10	open? When did you actually start working out 13:16:27	10	bring it in and receive services and things. 13:18:30
Lii	of the store?	111	Q. Is that the Geek Squad, or is that
12	A. Sometime I can't answer that	12	something separate?
13	question, honestly. It would be the end of	13	A. Geck Squad.
14	October, beginning of November, somewhere	14	Q. So the Geek Squad actually reported
15	around that time. 13:16:46	15	to you? 13:18:38
16	O. Of what year?	16	A. That is correct.
17	A. Of '04.	17	Q. So the Geek Squad and the actual
		18	•
18	Q. And who did you report to in		sales floor reported to you in the computer department?
19	Macedonia? Was it to Mark, or was there	19	•
20	somebody in between the two of you? 13:17:04	20	A. That is correct. 13:18:44
21	A. Yeah. We had somebody report to	21	Q. How many total employees reported
22	us. That was the sales manager what's his	22	directly to you in Macedonia, approximately?
23	name.	23	A. Approximately, I would say 20.
24	Q. That was the individual you don't	24	Q. During your employment with Best
25	know who it was? 13:17:14	25	Buy, prior to this you had been a supervisor 13:19:00
	D 42		D. (0
١.	Page 67  A. Right. I can't remember. I can't	<sub>1</sub>	Page 69 prior to that, right?
1 2	think of his name right now.	2	A. That is correct.
1	<del>-</del>	3	
3	Q. Did he stay there throughout your	1	Q. Had you ever supervised this many
4	employment?	4	employees during your tenure with Best Buy?
5	A. Yes. He was there. 13:17:22	5	A. Yes, sir. 13:19:11
6	Q. Throughout the rest of your	6	Q. Where at?
7	employment?	7	A. Atlanta.
8	A. That is correct.	8	Q. Okay. What was your position then?
9	Q. Did you have any problems with him?	9	A. I was just the PC supervisor.
10	A. No, sir. 13:17:27	10	Q. Similar role? 13:19:19
11	Q. And so you reported to the sales	11	A. Similar role. That is correct.
12	manager, who you don't know his name?	12	That is correct.
13	A. I can't remember his name at this	13	Q. Okay.
14	time.	14	MR. CAMPBELL: Why don't we take a
15	Q. Okay. And then Mark Rankin. Those 13:17:33	15	short break, about a five-minute break, and 13:19:27
16	were the two in the store that you reported to?	16	then we'll pick up here.
17	A. And Mark Rankin I also reported to.	17	MS. ROWLES: Sure.
18	Q. Okay. And did you hold the same	18	(Thereupon, a recess was taken.)
19	position throughout your employment at the	19	Q. We left off, you had just moved
20	Macedonia store? 13:17:48	20	into the PC area manager role at the Macedonia 13:28:00
21	A. Yes, sir.	21	store. I want to ask you a little bit about
22	Q. What does a PC area manager do?	22	that. Did you actually hire the 20 people who
23	A. Overall, I oversee floor sales and	23	reported to you?
L .		24	A. Yes. I did a majority of the
24	repair services, make sure sales goals are met,	25	
25	hiring, firing, training. That's it. 13:18:03		hiring. Of course, I've had partnerships with 13:28:19
		-	18 (Pages 66 to 69

			<del></del>
	Page 70		Page 72
1	my sales manager and with Mark.	1	Q. And the computer would tell you how
2	Q. But you were at least involved in	2	much discount, it would just run through like
3	the hiring of all the people you supervised?	3	any other purchase?
4	A. Of the interviewing, yes, sir. And	4	A. It would do it automatically. That
5	there was a couple people that I didn't speak 13:28:31	5	is correct. 13:30:27
6	to specifically that, you know, Mark brought	6	Q. So would it do it automatically if
7	aboard. And it could have been due to the fact	7	you went to another store as well?
8	that maybe I was out of the building when they	8	A. Yes. It's I believe they ask
9	came in for the interviews or something.	9	for like your employee number, they punch that
10	Q. Okay. And at the Macedonia store, 13:28:43	10	in, and then the system will toggle to do the 13:30:37
111	let me just ask you about some of the and	11	discount.
12	this is, I'm assuming the Macedonia store was.	12	Q. Okay. And let me just ask you, I
13	the policies and practices were consistent with	13	had asked you about whether you had hired or
14	other stores that you've worked at?	14	were involved with the hiring of people you
15	A. Yes. 13:29:00	15	supervised. Nicholas Lacasio in the Geek 13:30:49
16	Q. So tell me about the discount	16	Squad. did you hire him?
17	policies. Is there an employee discount at	17	A. Nick. I interviewed him.
18	Best Buy?	18	Everybody that was brought aboard for my team,
19	A. Yes. Employee discount. If you're	19	Mark hired. We do what we call a third final
20	an employee, you get a discount. 13:29:12	20	interview. And that's the interview that, you 13:31:05
21	Q. Is the amounts, or is the discount	21	know, if he feels they would be a good fit for
22	a percentage, or what is it?	22	the store, he'll bring them aboard. If not, he
23	A. At Best Buy, different items was	23	won't bring them aboard.
24	different. So I would say it was different	24	Q. I thought you said you had some
25	percentages on different items. 13:29:25	25	input. 13:31:17
	percentages on arreten nemb		
	Page 71		Page 73
1	Page 71 Q. Okay.	1	Page 73  A. I had some input with the
1 2		1 2	<del>-</del>
	Q. Okay.		A. I had some input with the
2	<ul><li>Q. Okay.</li><li>A. Because there wasn't no set this</li></ul>	2	A. I had some input with the interviewing. But you asked me if I hired.
2 3	<ul><li>Q. Okay.</li><li>A. Because there wasn't no set this was what you get.</li></ul>	2 3	A. I had some input with the interviewing. But you asked me if I hired.     Q. Okay. Did you approve or
2 3 4	<ul><li>Q. Okay.</li><li>A. Because there wasn't no set this</li><li>was what you get.</li><li>Q. So it depends on what you're buying</li></ul>	2 3 4	A. I had some input with the interviewing. But you asked me if I hired. Q. Okay. Did you approve or disapprove of Nicholas Lacasio as being hired?
2 3 4 5	<ul> <li>Q. Okay.</li> <li>A. Because there wasn't no set this</li> <li>was what you get.</li> <li>Q. So it depends on what you're buying</li> <li>is dependent upon the discount? 13:29:32</li> </ul>	2 3 4 5	A. I had some input with the interviewing. But you asked me if I hired.  Q. Okay. Did you approve or disapprove of Nicholas Lacasio as being hired?  A. I agreed with every hire. 13:31:27
2 3 4 5 6	<ul> <li>Q. Okay.</li> <li>A. Because there wasn't no set this</li> <li>was what you get.</li> <li>Q. So it depends on what you're buying</li> <li>is dependent upon the discount? 13:29:32</li> <li>A. That is correct.</li> </ul>	2 3 4 5 6	A. I had some input with the interviewing. But you asked me if I hired.  Q. Okay. Did you approve or disapprove of Nicholas Lacasio as being hired?  A. I agreed with every hire. 13:31:27  Q. With every hire?
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2 3 4 5 6 7 8	<ul> <li>Q. Okay.</li> <li>A. Because there wasn't no set this</li> <li>was what you get.</li> <li>Q. So it depends on what you're buying</li> <li>is dependent upon the discount? 13:29:32</li> <li>A. That is correct.</li> <li>Q. And is there a I guess, are</li> <li>there safeguards at Best Buy when you're I</li> </ul>	2 3 4 5 6 7 8	A. I had some input with the interviewing. But you asked me if I hired.  Q. Okay. Did you approve or disapprove of Nicholas Lacasio as being hired?  A. I agreed with every hire. 13:31:27  Q. With every hire?  A. Yes.  Q. And you called him Nick. Did you
2 3 4 5 6 7 8 9	Q. Okay. A. Because there wasn't no set this was what you get. Q. So it depends on what you're buying is dependent upon the discount? 13:29:32 A. That is correct. Q. And is there a I guess, are there safeguards at Best Buy when you're I know some retailers as to employee discounts	2 3 4 5 6 7 8 9	A. I had some input with the interviewing. But you asked me if I hired.  Q. Okay. Did you approve or disapprove of Nicholas Lacasio as being hired?  A. I agreed with every hire. 13:31:27  Q. With every hire?  A. Yes.  Q. And you called him Nick. Did you know Nick well?
2 3 4 5 6 7 8 9	Q. Okay. A. Because there wasn't no set this was what you get. Q. So it depends on what you're buying is dependent upon the discount? 13:29:32 A. That is correct. Q. And is there a I guess, are there safeguards at Best Buy when you're I know some retailers as to employee discounts you have to have certain people ring up the 13:29:46	2 3 4 5 6 7 8 9 10	A. I had some input with the interviewing. But you asked me if I hired.  Q. Okay. Did you approve or disapprove of Nicholas Lacasio as being hired?  A. I agreed with every hire. 13:31:27  Q. With every hire?  A. Yes.  Q. And you called him Nick. Did you know Nick well?  A. I didn't know him well. He was 13:31:33
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Okay. A. Because there wasn't no set this was what you get. Q. So it depends on what you're buying is dependent upon the discount? 13:29:32 A. That is correct. Q. And is there a I guess, are there safeguards at Best Buy when you're I know some retailers as to employee discounts you have to have certain people ring up the 13:29:46 purchase in order to verify there's no. I guess that there's no employee fraud. Are there any safeguards in place at Best Buy as to the purchases with the employee discounts? A. No. You're able to just take an 13:30:01 item and go up there to the register.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. I had some input with the interviewing. But you asked me if I hired.  Q. Okay. Did you approve or disapprove of Nicholas Lacasio as being hired?  A. I agreed with every hire. 13:31:27  Q. With every hire?  A. Yes.  Q. And you called him Nick. Did you know Nick well?  A. I didn't know him well. He was 13:31:33 just a guy that worked with me.  Q. Did you have any problems with Nick?  A. Nick, at the end for a minute Nick was there was a couple times I had to 13:31:47 document him on occasion for performance and
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q. Okay. A. Because there wasn't no set this was what you get. Q. So it depends on what you're buying is dependent upon the discount? 13:29:32 A. That is correct. Q. And is there a I guess, are there safeguards at Best Buy when you're I know some retailers as to employee discounts you have to have certain people ring up the purchase in order to verify there's no. I guess that there's no employee fraud. Are there any safeguards in place at Best Buy as to the purchases with the employee discounts? A. No. You're able to just take an item and go up there to the register. Q. Now, you were a supervisor. How about associates, if an associate A. An associate could just go to the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. I had some input with the interviewing. But you asked me if I hired.  Q. Okay. Did you approve or disapprove of Nicholas Lacasio as being hired?  A. I agreed with every hire. 13:31:27  Q. With every hire?  A. Yes.  Q. And you called him Nick. Did you know Nick well?  A. I didn't know him well. He was 13:31:33 just a guy that worked with me.  Q. Did you have any problems with Nick?  A. Nick, at the end for a minute Nick was there was a couple times I had to 13:31:47 document him on occasion for performance and things like that. I had to document Nick. But overall, I mean, he was a good individual.  Q. Okay. Andrew Degenero. Are you
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. Okay. A. Because there wasn't no set this was what you get. Q. So it depends on what you're buying is dependent upon the discount? 13:29:32 A. That is correct. Q. And is there a I guess, are there safeguards at Best Buy when you're I know some retailers as to employee discounts you have to have certain people ring up the purchase in order to verify there's no. I guess that there's no employee fraud. Are there any safeguards in place at Best Buy as to the purchases with the employee discounts? A. No. You're able to just take an item and go up there to the register. Q. Now, you were a supervisor. How about associates, if an associate A. An associate could just go to the register. 13:30:13	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. I had some input with the interviewing. But you asked me if I hired.  Q. Okay. Did you approve or disapprove of Nicholas Lacasio as being hired?  A. I agreed with every hire. 13:31:27  Q. With every hire?  A. Yes.  Q. And you called him Nick. Did you know Nick well?  A. I didn't know him well. He was 13:31:33 just a guy that worked with me.  Q. Did you have any problems with Nick?  A. Nick, at the end for a minute Nick was there was a couple times I had to 13:31:47 document him on occasion for performance and things like that. I had to document Nick. But overall, I mean, he was a good individual.  Q. Okay. Andrew Degenero. Are you familiar with Andrew? 13:32:06
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Okay. A. Because there wasn't no set this was what you get. Q. So it depends on what you're buying is dependent upon the discount? 13:29:32 A. That is correct. Q. And is there a I guess, are there safeguards at Best Buy when you're I know some retailers as to employee discounts you have to have certain people ring up the 13:29:46 purchase in order to verify there's no. I guess that there's no employee fraud. Are there any safeguards in place at Best Buy as to the purchases with the employee discounts? A. No. You're able to just take an 13:30:01 item and go up there to the register. Q. Now, you were a supervisor. How about associates, if an associate A. An associate could just go to the register. 13:30:13 Q. Just go to the registers?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. I had some input with the interviewing. But you asked me if I hired.  Q. Okay. Did you approve or disapprove of Nicholas Lacasio as being hired?  A. I agreed with every hire. 13:31:27  Q. With every hire?  A. Yes.  Q. And you called him Nick. Did you know Nick well?  A. I didn't know him well. He was 13:31:33 just a guy that worked with me.  Q. Did you have any problems with Nick?  A. Nick, at the end for a minute Nick was there was a couple times I had to 13:31:47 document him on occasion for performance and things like that. I had to document Nick. But overall, I mean, he was a good individual.  Q. Okay. Andrew Degenero. Are you familiar with Andrew? 13:32:06  A. Andrew Degenero Drew. Yes, sir.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Okay. A. Because there wasn't no set this was what you get. Q. So it depends on what you're buying is dependent upon the discount? 13:29:32 A. That is correct. Q. And is there a I guess, are there safeguards at Best Buy when you're I know some retailers as to employee discounts you have to have certain people ring up the purchase in order to verify there's no. I guess that there's no employee fraud. Are there any safeguards in place at Best Buy as to the purchases with the employee discounts? A. No. You're able to just take an 13:30:01 item and go up there to the register. Q. Now, you were a supervisor. How about associates, if an associate A. An associate could just go to the register. 13:30:13 Q. Just go to the registers? A. Yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. I had some input with the interviewing. But you asked me if I hired.  Q. Okay. Did you approve or disapprove of Nicholas Lacasio as being hired?  A. I agreed with every hire. 13:31:27  Q. With every hire?  A. Yes.  Q. And you called him Nick. Did you know Nick well?  A. I didn't know him well. He was 13:31:33 just a guy that worked with me.  Q. Did you have any problems with Nick?  A. Nick, at the end for a minute Nick was there was a couple times I had to 13:31:47 document him on occasion for performance and things like that. I had to document Nick. But overall, I mean, he was a good individual.  Q. Okay. Andrew Degenero. Are you familiar with Andrew? 13:32:06  A. Andrew Degenero Drew. Yes, sir.  Q. Okay. Did you hire, were you
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Okay. A. Because there wasn't no set this was what you get. Q. So it depends on what you're buying is dependent upon the discount? 13:29:32 A. That is correct. Q. And is there a I guess, are there safeguards at Best Buy when you're I know some retailers as to employee discounts you have to have certain people ring up the purchase in order to verify there's no. I guess that there's no employee fraud. Are there any safeguards in place at Best Buy as to the purchases with the employee discounts? A. No. You're able to just take an 13:30:01 item and go up there to the register. Q. Now, you were a supervisor. How about associates, if an associate A. An associate could just go to the register. 13:30:13 Q. Just go to the registers? A. Yes. Q. And I take it all, that the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. I had some input with the interviewing. But you asked me if I hired.  Q. Okay. Did you approve or disapprove of Nicholas Lacasio as being hired?  A. I agreed with every hire. 13:31:27  Q. With every hire?  A. Yes.  Q. And you called him Nick. Did you know Nick well?  A. I didn't know him well. He was 13:31:33 just a guy that worked with me.  Q. Did you have any problems with Nick?  A. Nick, at the end for a minute Nick was there was a couple times I had to 13:31:47 document him on occasion for performance and things like that. I had to document Nick. But overall, I mean, he was a good individual.  Q. Okay. Andrew Degenero. Are you familiar with Andrew? 13:32:06  A. Andrew Degenero Drew. Yes, sir.  Q. Okay. Did you hire, were you involved in the decision to hire Drew?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Q. Okay. A. Because there wasn't no set this was what you get. Q. So it depends on what you're buying is dependent upon the discount? 13:29:32 A. That is correct. Q. And is there a I guess, are there safeguards at Best Buy when you're I know some retailers as to employee discounts you have to have certain people ring up the purchase in order to verify there's no. I guess that there's no employee fraud. Are there any safeguards in place at Best Buy as to the purchases with the employee discounts? A. No. You're able to just take an 13:30:01 item and go up there to the register. Q. Now, you were a supervisor. How about associates, if an associate A. An associate could just go to the register. 13:30:13 Q. Just go to the registers? A. Yes. Q. And I take it all, that the register was all computer	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	A. I had some input with the interviewing. But you asked me if I hired.  Q. Okay. Did you approve or disapprove of Nicholas Lacasio as being hired?  A. I agreed with every hire. 13:31:27  Q. With every hire?  A. Yes. Q. And you called him Nick. Did you know Nick well?  A. I didn't know him well. He was 13:31:33 just a guy that worked with me. Q. Did you have any problems with Nick?  A. Nick, at the end for a minute Nick was there was a couple times I had to 13:31:47 document him on occasion for performance and things like that. I had to document Nick. But overall, I mean, he was a good individual. Q. Okay. Andrew Degenero. Are you familiar with Andrew? 13:32:06  A. Andrew Degenero Drew. Yes, sir. Q. Okay. Did you hire, were you involved in the decision to hire Drew? A. Actually, that was Mark Rankin

	Page 74		Page 76
1	Q. Did Drew report directly to you?	l	Q. And Best Buy's written policies
2	A. Yes.	2	prohibit all forms of harassment?
3	Q. Did you have any problems with	3	A. That is correct.
4	Drew?	4	Q. You're familiar with all those?
5	A. A little bit here and there, yes, 13:32:25	5	A. I'm familiar, yes. 13:34:27
6	sir.	6	Q. As a manager, you not only were
7	Q. Like what?	7	familiar but you enforced those policies?
8	A. I know like he had to get, like if	8	A. That is correct.
9	I say I don't know, like a decision that I	9	Q. If you would have seen one of your
10	would make or something, he would want to go to 13:32:36	10	subordinates discriminating against somebody, 13:34:36
11	Mark to get the final we can do that.	11	you would have taken action?
12	Q. Okay. So it was a matter of him	12	A. Yes, sir.
13	just not following your directions?	13	Q. And you knew that there was a
14	A. Right. He was what I would call a	14	complaint procedure at Best Buy?
15	gunslinger, I guess. I had a difficult time 13:32:48	15	A. I knew we had an open line policy. 13:34:42
16	trying to get on the same wavelength and page	16	Q. What were the open lines?
17	with him. Because anything I asked him to do,	17	A. There was a number that you could
18	he would go to Mark and, you know, double check	18	call to report an incident.
19	or question any things that I do.	19	Q. Was that anonymous or not?
20	Q. Did you have any other problems 13:33:01	20	A. Yes. You had the choice. 13:34:51
21	aside from that with Drew?	21	Q. Okay. And I'm assuming you could
22	A. Other than that, no. And I talked	22	go also, the open door, you could go out to
23	to him just numerous times as far as just	23	Mark or somebody else to let them know there
24	dealing with people. He was actually kind of	24	was an issue?
25	thrown into my department as a senior. He 13:33:18	25	A. To be honest with you, the calling 13:35:05
1			
1			
	Page 75		Page 77
1	Page 75 wasn't my original senior.	1	Page 77 the number I mean, granted they, people have
1 2		1 2	- I
1	wasn't my original senior.		the number I mean, granted they, people have
2	wasn't my original senior. Q. Okay.	2	the number I mean, granted they, people have open door policies, but if you're not
2 3	wasn't my original senior.  Q. Okay.  A. He was actually Wayne Jones' senior	2	the number I mean, granted they, people have open door policies, but if you're not comfortable with going to a person
2 3 4	wasn't my original senior.  Q. Okay.  A. He was actually Wayne Jones' senior in home theater, and they brought him over to	2 3 4	the number I mean, granted they, people have open door policies, but if you're not comfortable with going to a person Q. You can call the number?
2 3 4 5	wasn't my original senior.  Q. Okay.  A. He was actually Wayne Jones' senior in home theater, and they brought him over to computers. It was just his way of talking to 13:33:29	2 3 4 5	the number I mean, granted they, people have open door policies, but if you're not comfortable with going to a person Q. You can call the number?  A you would just call that number. 13:35:17
2 3 4 5 6	wasn't my original senior.  Q. Okay.  A. He was actually Wayne Jones' senior in home theater, and they brought him over to computers. It was just his way of talking to people. When it came to discipline and stuff,	2 3 4 5 6	the number I mean, granted they, people have open door policies, but if you're not comfortable with going to a person Q. You can call the number?  A you would just call that number. 13:35:17 Q. Okay. While you were at Mayfield,
2 3 4 5 6 7	wasn't my original senior.  Q. Okay.  A. He was actually Wayne Jones' senior in home theater, and they brought him over to computers. It was just his way of talking to people. When it came to discipline and stuff, he came out rude and things like that, and I've had to have conversations with him about that.	2 3 4 5 6 7	the number I mean, granted they, people have open door policies, but if you're not comfortable with going to a person Q. You can call the number? A you would just call that number. 13:35:17 Q. Okay. While you were at Mayfield, then, you know, we're talking about Mayfield,
2 3 4 5 6 7 8	wasn't my original senior.  Q. Okay.  A. He was actually Wayne Jones' senior in home theater, and they brought him over to computers. It was just his way of talking to people. When it came to discipline and stuff, he came out rude and things like that, and I've had to have conversations with him about that.	2 3 4 5 6 7 8	the number I mean, granted they, people have open door policies, but if you're not comfortable with going to a person Q. You can call the number? A you would just call that number. 13:35:17 Q. Okay. While you were at Mayfield, then, you know, we're talking about Mayfield, did you ever use the open line while at Mayfield?
2 3 4 5 6 7 8 9	wasn't my original senior.  Q. Okay.  A. He was actually Wayne Jones' senior in home theater, and they brought him over to computers. It was just his way of talking to people. When it came to discipline and stuff, he came out rude and things like that, and I've had to have conversations with him about that.  Q. Any other problems with Drew?	2 3 4 5 6 7 8 9	the number I mean, granted they, people have open door policies, but if you're not comfortable with going to a person Q. You can call the number? A you would just call that number. 13:35:17 Q. Okay. While you were at Mayfield, then, you know, we're talking about Mayfield, did you ever use the open line while at Mayfield?
2 3 4 5 6 7 8 9	wasn't my original senior.  Q. Okay.  A. He was actually Wayne Jones' senior in home theater, and they brought him over to computers. It was just his way of talking to 13:33:29 people. When it came to discipline and stuff, he came out rude and things like that, and I've had to have conversations with him about that.  Q. Any other problems with Drew?  A. None at this time, that I can 13:33:41 remember.	2 3 4 5 6 7 8 9	the number I mean, granted they, people have open door policies, but if you're not comfortable with going to a person Q. You can call the number? A you would just call that number. 13:35:17 Q. Okay. While you were at Mayfield, then, you know, we're talking about Mayfield, did you ever use the open line while at Mayfield? A. Used it at the Mayfield store, no. 13:35:29
2 3 4 5 6 7 8 9 10	wasn't my original senior.  Q. Okay.  A. He was actually Wayne Jones' senior in home theater, and they brought him over to computers. It was just his way of talking to 13:33:29 people. When it came to discipline and stuff, he came out rude and things like that, and I've had to have conversations with him about that.  Q. Any other problems with Drew?  A. None at this time, that I can 13:33:41 remember.  Q. Now, getting back to the discount.	2 3 4 5 6 7 8 9 10	the number I mean, granted they, people have open door policies, but if you're not comfortable with going to a person Q. You can call the number? A you would just call that number. 13:35:17 Q. Okay. While you were at Mayfield, then, you know, we're talking about Mayfield, did you ever use the open line while at Mayfield? A. Used it at the Mayfield store, no. 13:35:29 Q. Did you have any problems while you
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1			
1.	Page 78	,	Page 80
1 2	A. Are you and just to be on the	1	good fight.  Q. But Mark told you that he didn't
2	same page with you, on termination, are you	2	· · · · · · · · · · · · · · · · · · ·
$\frac{3}{4}$	talking about the day that I sat down and spoke	3	think that he was a good fit, and he had reasons aside from race?
4	with Tim and Mark, or are you talking about the actual termination, when my termination went 13:36:15	4	
5	actual termination, when my termination went 13:36:15 into effect?	5	, ,
6	Q. Just start first of all with before	6	His excuse was even before going into that
7		7	interview with that gentleman, we had known of
8	they sat down. And I'm assuming they	8	an employee I had not met Drew at the time,
9	questioned you about the incident?  A. Right. 13:36:24	9	but he knew of somebody that was within the
10	11. 108	10	company that wanted to transfer. And I can't 13:38:28
11	Q. Before that day. Because obviously	11	say for honestly, but I felt like Mark already
12	you disagreed with that, right?	13	knew who he wanted to put in that particular slot.
13	A. Right.	14	
1	Q. Before that day, had you ever had any problems at the Macedonia store? 13:36:30	15	Q. The person who wanted a transfer?  A. That is correct. 13:38:41
15		16	
1			Q. Why do you think that was race
17	Q. Okay. What were those?  A. Wow. There's a number of them.	17 18	though? I mean, it's one thing if I knew that I wanted to bring someone in from internal and
	One, even with the hiring, Wayne Jones		
19 20	interviewed an African male to be a senior in 13:36:46	19 20	they already have experience. That doesn't necessarily correlate with race. 13:38:52
21		21	necessarily correlate with race. 13:38:52  A. There's incidents that happened,
22	his department. Mark Rankin was against it, because he felt like with the conversation	22	you know, even before that.
23	that Mark had with that individual, he felt	23	Q. Before that with who?
24	like he. I guess, didn't have like the get up	24	A. Just with Mark, things that I would
25	and go type attitude, like somebody that was 13:37:06	25	step back and when you asked me was I 13:39:02
2	and go type autitude, like softeroody that was 13.57.00	23	step tack and when you asked the was 1 13.37.02
	Page 79		Page 81
1	going to be out there and be a go-getter on the	1	offended, things that I would be offended for.
1 ~		ı '	oriended, tilligs that I would be oriended for.
2	sales floor. So he wouldn't bring him aboard.	2	Q. Well, we talked about, you said
3	sales floor. So he wouldn't bring him aboard. Instead he brought Drew. Two, there was	1	
		2	Q. Well, we talked about, you said
3	Instead he brought Drew. Two, there was	2 3	Q. Well, we talked about, you said that in Indiana there was some jokes that you
3 4	Instead he brought Drew. Two, there was another African American	2 3 4	Q. Well, we talked about, you said that in Indiana there was some jokes that you didn't find offensive?
3 4 5	Instead he brought Drew. Two, there was another African American Q. Well, let's go through it. I don't 13:37:17	2 3 4 5	Q. Well, we talked about, you said that in Indiana there was some jokes that you didn't find offensive?  A. That's correct. I'm talking about 13:39:13
3 4 5 6	Instead he brought Drew. Two, there was another African American Q. Well, let's go through it. I don't 13:37:17 want to cut you off, but on that one, did you	2 3 4 5 6	Q. Well, we talked about, you said that in Indiana there was some jokes that you didn't find offensive?  A. That's correct. I'm talking about 13:39:13 during the time we were hiring and getting
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	Page 82		Page 84
1	hey, she's I don't know if she's having a	i	A. No. I still had to work my hours
2	miscarriage or whatever. I need to take her to	2	and make it up. And I know as far as Todd
3	the hospital, or whatever. He snapped at me in	3	Scaleric is concerned, he didn't have to make
4	front of everybody. When I say everybody, all	4	up any time.
5	the other managers, and even a few line level 13:40:05	5	There was another incident with a, 13:41:50
6	staff. And his exact words was I didn't bring	6	during the hiring, with an African male named
7	you to Ohio to be a jiggilo and impregnate	7	Terrance. He did not have a high school
8	somebody, or whatever, and your	8	diploma, so Mark wouldn't bring him aboard.
9	responsibilities is here, whatever.	9	Then I talked to Mark said, hey, he's a good
10	I know that like with Todd, or even 13:40:19	10	kid, showed initiative coming in here dressed 13:42:10
11	with our sales manager, when they had issues,	11	up, he's sharp. So we decided, hey, if he gets
12	that he would handle that behind closed doors.	12	his diploma, he was applying to be a car
13	But he handled mine like openly in front of	13	installer, so we decided if he got his diploma,
14	everybody. But the top of, the flip of that,	14	bring it in here. Mark even told him, hey,
15	there was an incident with Todd Scaleric, which 13:40:34	15	we're going to save a spot for you. So granted 13:42:24
16	is a white male, wanted to leave work just to	16	this guy get his diploma, comes back, says.
17	go close on his house. Mark was like, hey,	17	hey, I did it, I got it, whatever. Instead of
18	okay, fine, you know.	18	putting him in once the store is open, okay,
19	Q. Okay. But Mark let you leave?	19	instead of putting him in the car install bay,
20	A. No. I walked out. It wasn't 13:40:45	20	Mark puts him on the car sales floor, which the 13:42:40
21	Q. Did he discipline you for walking	21	guy's experience wasn't sales, it was doing
22	out?	22	installs, which he had did around the house.
23	A. Did I get written up is your	23	We also pay our installers more
24	question?	24	money than we pay our sales staff. And they
25	Q. Yes. 13:40:57	25	also do work more hours, because they're doing 13:42:59
-			
1	D 03		D 0.6
1	Page 83	١,	Page 85
1	A. No. I didn't get documented.	1 2	the repairs, going into people's cars, things
2	<ul><li>A. No. I didn't get documented.</li><li>Q. So he let you walk out?</li></ul>	2	the repairs, going into people's cars, things like that. They do make more money than our
2 3	<ul><li>A. No. I didn't get documented.</li><li>Q. So he let you walk out?</li><li>A. No. I walked out. He didn't</li></ul>	2 3	the repairs, going into people's cars, things like that. They do make more money than our car sales people.
2 3 4	<ul> <li>A. No. I didn't get documented.</li> <li>Q. So he let you walk out?</li> <li>A. No. I walked out. He didn't</li> <li>Q. He could have disciplined you for</li> </ul>	2 3 4	the repairs, going into people's cars, things like that. They do make more money than our car sales people.  So the guy's unhappy, starts
2 3 4 5	<ul> <li>A. No. I didn't get documented.</li> <li>Q. So he let you walk out?</li> <li>A. No. I walked out. He didn't</li> <li>Q. He could have disciplined you for leaving and terminate you for job abandonment. 13:41:04</li> </ul>	2 3 4 5	the repairs, going into people's cars, things like that. They do make more money than our car sales people.  So the guy's unhappy, starts complaining to Mark like, hey, I thought I was 13:43:12
2 3 4 5 6	<ul> <li>A. No. I didn't get documented.</li> <li>Q. So he let you walk out?</li> <li>A. No. I walked out. He didn't</li> <li>Q. He could have disciplined you for leaving and terminate you for job abandonment. 13:41:04</li> <li>You might have disagreed with that, but if he</li> </ul>	2 3 4 5 6	the repairs, going into people's cars, things like that. They do make more money than our car sales people.  So the guy's unhappy, starts complaining to Mark like, hey. I thought I was being brought aboard to be an installer, and
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١.	Page 86		Page 88
	which was a white male, to come and work at the	1	something that we had to pick it up first. And
2	store. Which he had knowledge of that they	2	once our delivery guys say they have it, then
3	were a couple.	3	they would return it to his credit card.
4	Q. Okay.	4	But later that time he came in
5	A. There was another incident with the 13:44:21	5	another day to do the return. I was present. 13:46:20
6	TVs. We had customers coming in, buying TVs,	6	I called Stacey. I said Stacey, I just want to
7	there was people returning TVs. Now, I've sat	7	let you know I got this customer here. I'm not
8	on numerous times when a person, a white male,	8	going to charge him a restocking fee. He was
9	female return a television, it was like, hey,	9	in here before. Mark had wanted me to. So
10	it didn't work out for you, hey, let's offer 13:44:40	10	just in case, you know, Mark fusses at me or 13:46:34
11	you a discount, okay, if you don't want that	11	tries to docu me going against what he said, I
12	we'll go ahead and do a return. There was an	12	just wanted to let you know of the issue of him
13	older African American male that Mark wanted to	13	or what's going on. or whatever.
14	charge a 15 percent restocking fee, because the	14	I made that call to Stacey right in
15	guy wanted to return his TV. 13:44:54	15	front of a female named Suzy who processed the 13:46:47
16	And then this was another situation	16	return for the customer, and he wasn't charged
17	that I had a run-in with Drew when I got wind	17	a restocking fee.
18 19	of what's going on. I didn't know Mark told	18	Q. When on the restocking are there
	the cashier that we're charging him a 15	19	restocking fees at times?
20	percent restocking fee. Alls I know is that 1 13:45:04 had Drew up there saying it's going to be a 15	20	A. Yes. Only on computers. Laptops, 13:47:00 open laptops that are non defective that are
22	percent restocking fee if you want to return	22	• • •
23	this, what have you, this and that. Then I got	23	open. Now. granted, if you bring a TV back and it's missing a remote control and things like
24	involved. I was like Drew, go away. He	24	that, they would charge you something for
25	wouldn't go away. He kept standing there. And 13:45:15	25	missing the parts. 13:47:21
	wouldn't go away. The kept stantoning there. 7 that 15.45.15		13.47.21
	Page 87		Page 80
1	Page 87 the guy was getting more upset. I'm like,	1	Page 89 Q. Okay.
1 2	Page 87 the guy was getting more upset. I'm like, Drew, I'll handle this, I'll take care of this.	1 2	Q. Okay.
ı	the guy was getting more upset. I'm like, Drew, I'll handle this, I'll take care of this.	1	Q. Okay. A. But I couldn't tell you I know
2	the guy was getting more upset. I'm like,	2	Q. Okay.
2 3	the guy was getting more upset. I'm like, Drew, I'll handle this, I'll take care of this. I was like, sir, I apologize, what's going on.	2	Q. Okay. A. But I couldn't tell you I know that the TVs weren't part of the restocking fee, but there were other items that would
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	the guy was getting more upset. I'm like, Drew, I'll handle this, I'll take care of this. I was like, sir, I apologize, what's going on. I got like wind of the situation, looked on the back of his receipt. I was like no, I'm sorry, 13:45:23 we don't charge a 15 percent restocking fee. I apologize. I probably have to communicate better with my staff as far as our return policy.  Anyway, I go up to the back room, 13:45:35 after that conversation I go back to the back room, I speak to Mark. I was like Drew was up there trying to charge the guy a restocking fee. I was like we don't charge restocking fees on TVs. He already charged him. You go 13:45:45 up there and you charge him a restocking fee. And I told Mark I'm not going to do anything that I know that I'm not supposed to do, or whatever. So if you want to charge this guy a restocking fee, you can go up there and do it. 13:45:55  Q. Did he?  A. I stayed away from that. No. The guy honestly, I couldn't tell you if no,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Okay. A. But I couldn't tell you I know that the TVs weren't part of the restocking fee, but there were other items that would qualify as a restocking fee.  Q. Well, you just said TV if there wasn't a remote?  A. Well, yes, if you brought something back and it was missing this or missing that. I cannot remember at this time what the Best 13:47:42 Buy term was for if it was missing this you have to charge them this. It wasn't a restocking fee. It was like a certain dollar amount. They even had like a written out thing if it was missing a remote, you deduct this off 13:47:55 the price.  Q. Now, you sold PCs not TVs, right?  A. I was responsible for the PCs, but I've sold everything that was in that store.  Q. But you were not responsible for 13:48:09 TVs?  A. No. I was not responsible.  Q. Why did you take it upon yourself

١.	Page 90	١.	Page 92
1	duty. Even though I'm the PC area manager, I	1	A. Mark talked to him first,
$\frac{1}{2}$	had keys to the store. That's why we were	2	originally.
$\begin{bmatrix} 3 \\ 4 \end{bmatrix}$	fortunate to have seniors within our	3	Q. Okay.
4	department, because I can't be in services and	4	A. And then went back there to the
5	in the sales support at the same time. Because 13:48:30	5	break room. Then Drew is running from the 13:50:06
6	there was times that Mark is not there, my	6	break room going back up there to the front.
7	sales manager is not there. There would be	7	Well, the guy said this, go back there to Mark.
8	times where it's just me there, because I open	8	and then come back out there and talk to the
9	and close the store and everything.	9	guy again.
10	Q. When the gentleman came in at 13:48:41	10	Q. So this TV was actually delivered 13:50:16
11	first, he didn't have his TV with him, right?	11	by Best Buy to the house?
12	A. That is correct.	12	A. Right. That is correct.
13	Q. Without seeing the TV, how did you	13	Q. And Best Buy, as part of the
14	know that there shouldn't be a restocking fee?	14	return, was going to have to go out and get the
15	A. Because I know that there's no 13:48:51	15	TV and bring it back? 13:50:25
16	restocking fees on our TVs.	16	A. That is correct.
17	Q. You knew he had a remote?	17	Q. And it's opened. And there's no
18	A. That part I did not know.	18	restocking fee whatsoever?
19 20	Q. You knew that the TV was perfectly fine and no issues? 13:49:01	19	A. There's no restocking fee whatsoever. 13:50:31
21		20 21	
22	A. That part I did not know.	21	Q. Who pays to bring it back to the store?
23	Q. Don't you think that it would have	23	
24	been appropriate to see the TV before you	24	A. As far as on a P&L line, I'm not
25	conclude that there should be no restocking fee? 13:49:11	25	sure what item actually pays for that. But
23	15.49.11	23	that is our policy. 13:50:39
	D A1		D 02
1	Page 91  A. What I knew, it wasn't appropriate	ı	Q. Is it the customer?
2	to charge him a restocking fee. And keep,	2	A. Well, no. Because they normally
3	again, don't mix not having a remote is going	_	
į.		l 3	pay for shipping originally.
14		3	pay for shipping originally.  O And with your understanding of
4 5	to be a restocking fee, because it's not the	4	Q. And with your understanding of
5	to be a restocking fee, because it's not the same thing. A restocking fee is for something 13:49:17	4 5	Q. And with your understanding of TVs 13:50:45
5 6	to be a restocking fee, because it's not the same thing. A restocking fee is for something 13:49:17 that you bring back that is	4 5 6	Q. And with your understanding of TVs 13:50:45 A. Right.
5 6 7	to be a restocking fee, because it's not the same thing. A restocking fee is for something 13:49:17 that you bring back that is Q. Okay. Do you know if Rankin	4 5 6 7	Q. And with your understanding of TVs 1 could go into Best Buy
5 6 7 8	to be a restocking fee, because it's not the same thing. A restocking fee is for something 13:49:17 that you bring back that is Q. Okay. Do you know if Rankin actually saw this gentleman?	4 5 6 7 8	Q. And with your understanding of TVs 13:50:45 A. Right. Q I could go into Best Buy tomorrow and buy a flat screen TV?
5 6 7	to be a restocking fee, because it's not the same thing. A restocking fee is for something 13:49:17 that you bring back that is Q. Okay. Do you know if Rankin actually saw this gentleman? A. Did Rankin no. Drew was being a	4 5 6 7 8 9	Q. And with your understanding of TVs 13:50:45 A. Right. Q I could go into Best Buy tomorrow and buy a flat screen TV? A. Yes, sir.
5 6 7 8 9	to be a restocking fee, because it's not the same thing. A restocking fee is for something 13:49:17 that you bring back that is Q. Okay. Do you know if Rankin actually saw this gentleman? A. Did Rankin no. Drew was being a messenger. 13:49:31	4 5 6 7 8 9	Q. And with your understanding of TVs 13:50:45 A. Right. Q I could go into Best Buy tomorrow and buy a flat screen TV? A. Yes, sir. Q. Bring it to my home? 13:50:50
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5 6 7 8 9 10 11 12 13 14	to be a restocking fee, because it's not the same thing. A restocking fee is for something 13:49:17 that you bring back that is Q. Okay. Do you know if Rankin actually saw this gentleman? A. Did Rankin no. Drew was being a messenger. 13:49:31 Q. So how do you know that Rankin I assume that you're claiming that Rankin did this because this gentleman was black? A. Yes.	4 5 6 7 8 9 10 11 12 13 14	Q. And with your understanding of TVs 13:50:45 A. Right. Q I could go into Best Buy tomorrow and buy a flat screen TV? A. Yes, sir. Q. Bring it to my home? 13:50:50 A. That is correct. Q. And not like it? A. That is correct. Q. Call up and say, hey, I'm returning this, I want my full money back, and you guys 13:50:57
5 6 7 8 9 10 11 12 13 14 15	to be a restocking fee, because it's not the same thing. A restocking fee is for something 13:49:17 that you bring back that is Q. Okay. Do you know if Rankin actually saw this gentleman? A. Did Rankin no. Drew was being a messenger. 13:49:31 Q. So how do you know that Rankin I assume that you're claiming that Rankin did this because this gentleman was black? A. Yes. Q. Why do you think Rankin did that? 13:49:38	4 5 6 7 8 9 10 11 12 13 14 15 16	Q. And with your understanding of TVs 13:50:45 A. Right. Q I could go into Best Buy tomorrow and buy a flat screen TV? A. Yes, sir. Q. Bring it to my home? 13:50:50 A. That is correct. Q. And not like it? A. That is correct. Q. Call up and say, hey, I'm returning this, I want my full money back, and you guys 13:50:57 come back and pick it up?
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	Page 98		Page 100
1	A. I said we did two things.	1	Q. So you didn't have any discontinued
2	Q. What were the	2	products that you sold on the floor?
3	A. The other thing was if it was	3	A. We still had discontinued items.
4	something that we weren't making money off of,	4	Granted, you can't I call it building Rome
5	or whatever, we would send it back. 13:54:45	5	overnight. You can't take all your stuff and 13:56:34
6	Q. Okay. Send it back to the	6	send it all out at one time. I know they had
7	manufacturer?	7	certain weight constraints, because you would
8	A. Right. That is correct.	8	put everything on a pallet, and once that
9	Q. Okay. What are discontinued	9	pallet is full, you would fill it up, send that
10	products? 13:54:52	10	off. But we sent things time from time, we 13:56:47
11	A. Discontinued is stuff that we start	11	would just pack up but it was new, unopened,
12	taking a margin loss off of. And basically	12	nobody's even bought it, returned it or
13	older, older inventory items.	13	anything, we would take it, put it in the
14	Q. And let's just focus on the laptops	14	warehouse. Todd Scaleric would send it back to
15	and PCs again. So I take it that in your 13:55:06	15	the vendor, and we get credit on it. So it's 13:56:59
16	department, just focus in your department, you	16	like better than selling it to somebody.
17	have a certain amount of inventory of a certain	17	Q. So if something is discontinued,
18	laptop. Is that, I mean, you'd have inventory	18	could you as a Best Buy associate purchase that
19	back in the store?	19	discontinued item?
20	A. That is correct. 13:55:20	20	A. Oh, yeah. You could purchase it. 13:57:09
21	Q. All right. And let's say that	21	Q. Okay.
22	you're selling a laptop, a new model comes	22	A. Well, you would if we were
23	out	23	losing money on it, honestly, if we were losing
24	A. Comes out.	24	money or something like that and somebody
25	Q the older model, is that and 13:55:24	25	wanted to buy something. I would actually have 13:57:17
$\vdash$	<del>.</del>		<del>-</del>
,	Page 99 they're no longer making that older model. Is	<sub>1</sub>	Page 101 to call Mark and let him know the situation, to
2	that discontinued, or when is it considered	2	see if it was okay for that person to go ahead
3	discontinued?	3	and purchase it.
4	A. Not necessarily. And, actually.	4	Q. Because you could return it to the
5	one of the unique things about Best Buy is like 13:55:35	5	manufacturer? 13:57:28
6	even ahead of time there would be a list that	6	A. Yes. Because we would send it back
7	they would send down and say okay, hey, these	7	to the vendor. That is correct.
8	items, laptops, are going to be going	8	Q. Okay. If it's discontinued and
9	discontinued on this date. Hurry up and sell	9	used, can you return that to the manufacturer?
10	them before this date or you're going to be 13:55:49	10	A. Yes. 13:57:36
11	losing money on these.	11	Q. Okay. So
12	Q. These are the things that if you	12	A. As long as you have like a box or
13	can sell before this discontinuation date you	13	something to put it in, you can still send it
14	would?	14	back. That is correct.
15		ı	Q. Okay. As an associate, could you 13:57:44
	A. Right. Mark would have us 13:55:59	15	C. The minimum of the same of
16	A. Right. Mark would have us 13:55:59 highlight the sale tags in my department,	15 16	buy used product in the computer area? Could
	_		
16	highlight the sale tags in my department,	16	buy used product in the computer area? Could
16 17	highlight the sale tags in my department, highlight the sale tags so it made it easier for a line level employee to go, hey, I know that this is going discontinued, let me hurry	16 17	buy used product in the computer area? Could you buy used PCs or computers? Like if I returned it, I've used it, I've returned it, it's not defective, I just don't like it?
16 17 18 19 20	highlight the sale tags in my department, highlight the sale tags so it made it easier for a line level employee to go, hey, I know that this is going discontinued, let me hurry up and go ahead and move this.  13:56:12	16 17 18 19 20	buy used product in the computer area? Could you buy used PCs or computers? Like if I returned it, I've used it, I've returned it,
16 17 18 19 20 21	highlight the sale tags in my department, highlight the sale tags so it made it easier for a line level employee to go, hey, I know that this is going discontinued, let me hurry up and go ahead and move this.  Q. Once it goes discontinued, you	16 17 18 19 20 21	buy used product in the computer area? Could you buy used PCs or computers? Like if I returned it, I've used it, I've returned it, it's not defective, I just don't like it?  A. If it's a newer item that was 13:57:58 purchased and was returned and somebody wanted
16 17 18 19 20 21 22	highlight the sale tags in my department, highlight the sale tags so it made it easier for a line level employee to go, hey, I know that this is going discontinued, let me hurry up and go ahead and move this.  Q. Once it goes discontinued, you would still sell it, it's just it would come	16 17 18 19 20 21 22	buy used product in the computer area? Could you buy used PCs or computers? Like if I returned it, I've used it, I've returned it, it's not defective, I just don't like it?  A. If it's a newer item that was 13:57:58 purchased and was returned and somebody wanted to buy it, I wouldn't have to call Mark to get
16 17 18 19 20 21 22 23	highlight the sale tags in my department, highlight the sale tags so it made it easier for a line level employee to go, hey, I know that this is going discontinued, let me hurry up and go ahead and move this.  Q. Once it goes discontinued, you would still sell it, it's just it would come down in price?	16 17 18 19 20 21 22 23	buy used product in the computer area? Could you buy used PCs or computers? Like if I returned it, I've used it, I've returned it, it's not defective, I just don't like it?  A. If it's a newer item that was 13:57:58 purchased and was returned and somebody wanted to buy it, I wouldn't have to call Mark to get the partnership on it. I could go ahead and do
16 17 18 19 20 21 22 23 24	highlight the sale tags in my department, highlight the sale tags so it made it easier for a line level employee to go, hey, I know that this is going discontinued, let me hurry up and go ahead and move this.  Q. Once it goes discontinued, you would still sell it, it's just it would come down in price?  A. Now, once it went discontinued,	16 17 18 19 20 21 22 23 24	buy used product in the computer area? Could you buy used PCs or computers? Like if I returned it, I've used it, I've returned it, it's not defective, I just don't like it?  A. If it's a newer item that was 13:57:58 purchased and was returned and somebody wanted to buy it, I wouldn't have to call Mark to get the partnership on it. I could go ahead and do it, because it would be something that I could
16 17 18 19 20 21 22 23	highlight the sale tags in my department, highlight the sale tags so it made it easier for a line level employee to go, hey, I know that this is going discontinued, let me hurry up and go ahead and move this.  Q. Once it goes discontinued, you would still sell it, it's just it would come down in price?	16 17 18 19 20 21 22 23	buy used product in the computer area? Could you buy used PCs or computers? Like if I returned it, I've used it, I've returned it, it's not defective, I just don't like it?  A. If it's a newer item that was 13:57:58 purchased and was returned and somebody wanted to buy it, I wouldn't have to call Mark to get the partnership on it. I could go ahead and do

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	Page 106	١.	Page 108
1	But Mark felt, I don't know,	1	say, let me just do it, whatever, just really
2	inferior in dealing with Wayne Jones. Wayne's	2	didn't question anything. It wasn't until
3	a little bit bigger than me, but he would send	3	incidents occurring, and then I got line level
4	me to talk to Wayne, or whatever. If he had	4	African male employees coming to me with
5	something that needed to go to Todd or anybody 14:02:30	5	things, and then I'm also observing things that 14:04:29
6	else, he wouldn't say, hey, can you go.	6	actually had me start questioning things. And
7	Q. Did he send anybody to talk to you	7	I did go to Mark and started questioning about
8	or did he go directly to you?	8	how he acts, you know, towards African males
9	A. He would come to me.	9	and even females about some of his decision
10	Q. So was it because Wayne was big or 14:02:41	10	making and things like that. And once again, 14:04:44
11	because Wayne was black or what?	11	he responded I am the his attitude, I am the
12	A. It's because he was black. I feel,	12	GM. I can do whatever I want to was his
13	I myself personally feel it was black. And	13	attitude.
14	Wayne Jones is, he doesn't I tend to keep	14	Q. And you're referencing, like you
15	things to myself. I keep it in, won't say 14:02:55	15	went to talk to him about this installer, 14:04:56
16	nothing at the time. If Wayne Jones feels	16	whether sales or installer, right?
17	something, he'll say it to Mark and let him	17	A. That is correct.
18	know where he's coming from.	18	Q. Did you ever go to Mark and say l
19	I remember there was a time we had	19	think you're making these decisions based on
20	a meeting and Mark was like is there any 14:03:06	20	race, or did you just go to him and say 14:05:04
21	manager in here that had anything that they	21	A. I went there and told him exactly
22	need to get off their chest, or whatever. And	22	that Terrance feels like you're doing this
23	Wayne Jones called him out and said, hey, I	23	because of his race.
24	don't appreciate it when you show up late for	24	Q. Did you say to Mark I think you're
25	work and call us on our day off to come in and 14:03:18	25	doing it based on race, or did you put it that 14:05:14
1	·	1	
	Page 107		Page 109
1	Page 107 open up the store for you because you can't get	1	Page 109 this other employee did?
1 2		1 2	
1	open up the store for you because you can't get	ı	this other employee did?
2	open up the store for you because you can't get up on time, but yet when I call in and let you	2	this other employee did?  A. No. The only thing that I said as
3	open up the store for you because you can't get up on time, but yet when I call in and let you know that I'm sick, or whatever, you leave a	2 3	this other employee did?  A. No. The only thing that I said as far as put it to Mark as far as race was the
3 4	open up the store for you because you can't get up on time, but yet when I call in and let you know that I'm sick, or whatever, you leave a message on my phone like if I don't show up at	2 3 4	this other employee did?  A. No. The only thing that I said as far as put it to Mark as far as race was the customer issue and the Wayne issue.  Q. Okay. 14:05:24
2 3 4 5	open up the store for you because you can't get up on time, but yet when I call in and let you know that I'm sick, or whatever, you leave a message on my phone like if I don't show up at work at this instance, I'm going to be 14:03:33	2 3 4 5	this other employee did?  A. No. The only thing that I said as far as put it to Mark as far as race was the customer issue and the Wayne issue.  Q. Okay. 14:05:24
2 3 4 5 6	open up the store for you because you can't get up on time, but yet when I call in and let you know that I'm sick, or whatever, you leave a message on my phone like if I don't show up at work at this instance, I'm going to be 14:03:33 terminated, or what have you.	2 3 4 5 6	this other employee did?  A. No. The only thing that I said as far as put it to Mark as far as race was the customer issue and the Wayne issue.  Q. Okay. 14:05:24  A. I specifically said the race.  Q. Okay. So on a customer issue, on
2 3 4 5 6 7	open up the store for you because you can't get up on time, but yet when I call in and let you know that I'm sick, or whatever, you leave a message on my phone like if I don't show up at work at this instance, I'm going to be 14:03:33 terminated, or what have you.  Q. So he spoke up?	2 3 4 5 6 7	this other employee did?  A. No. The only thing that I said as far as put it to Mark as far as race was the customer issue and the Wayne issue.  Q. Okay. 14:05:24  A. I specifically said the race.  Q. Okay. So on a customer issue, on the 15 percent, or the restocking fee, you said
2 3 4 5 6 7 8	open up the store for you because you can't get up on time, but yet when I call in and let you know that I'm sick, or whatever, you leave a message on my phone like if I don't show up at work at this instance, I'm going to be 14:03:33 terminated, or what have you. Q. So he spoke up? A. Yes. I remember him speaking up that one time.	2 3 4 5 6 7 8	this other employee did?  A. No. The only thing that I said as far as put it to Mark as far as race was the customer issue and the Wayne issue.  Q. Okay. 14:05:24  A. I specifically said the race.  Q. Okay. So on a customer issue, on
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	Page 122		Page 124
1	return that, charge them a restocking fee. It	1	A. Right.
2	wasn't until this older black male that he	2	Q. What other employee came to you?
3	wanted to charge him the restocking fee. And	3	A. I don't know the young lady's name
4	before I made the decision to override that, I	4	at this time. There was a lady, there was a
5	knew it was the right thing to do, I called my 14:17:14	5	couple of ladies actually that worked up front 14:19:00
6	human resource manager.	6	at Customer Service. I don't have their
7	Q. Is human resources, are they the	7	information at this time.
8	experts as to the whether or not a restocking	8	Q. And what did they tell you?
9	fee should be applied?	9	A. Just with the cutting of hours and
10	A. Myself personally, I feel like they 14:17:26	10	things like that. What was the my own 14:19:11
11	are. My human resource manager worked in the	11	instances with the hiring with Wayne's senior.
12	store before. She had worked previously in the	12	Q. I want to talk to you about these
13	store before, too. So as far as, yes, about an	13	employees' complaints. You act like that you
14	expert, I even called, again. I called Wayne	14	got all these complaints about Mark about race.
15	Jones, which was the current 14:17:41	15	We've talked about Terrance. What did these 14:19:29
16	Q. Was he still employed by Best Buy?	16	two people in Customer Service
17	A. Yes, he was. And he still is, yes,	17	A. Oh, the other guy, what is his
18	sir. And I called him and said what's the	18	name. Kenneth. Kenneth in wireless. As a
19	policy with TVs.	19	matter of fact, we were in a managers meeting.
20	Q. Wayne Jones is still employed out 14:17:49	20	We had a conversation about, you know, okay, 14:19:41
21	of Macedonia?	21	who's at the bottom half, who should we, you
22	A. He's currently at the what do	22	know it was almost like he was creating less
23	you call that area Fairlawn. Fairlawn	23	of people that we just need to, just
24	store.	24	performance manage them and fire them and get
25	Q. Okay. So Wayne didn't think it was 14:17:57	25	them out of here, because they're not going to 14:19:54
1	Page 123		Page 125
1	bad enough that he was going to quit or had any	1	make it for us, or whatever. And Mark wanted
2	issues with Mark Rankin?	2	to get rid of a guy named Kenneth. He was a
3	A. You said bad enough to quit?		
1 .		3	black guy, real heavy set, what have you. He
4	Q. Yeah. You said Wayne thought there	3 4	black guy, real heavy set, what have you. He worked in the cell phone department. And on
5			
	Q. Yeah. You said Wayne thought there	4	worked in the cell phone department. And on
5	Q. Yeah. You said Wayne thought there was times when there was discrimination 14:18:08	4 5	worked in the cell phone department. And on top of that he was a transfer from another 14:20:10
5 6	Q. Yeah. You said Wayne thought there was times when there was discrimination 14:18:08  A. Wayne, that's a whole other story.	4 5 6	worked in the cell phone department. And on top of that he was a transfer from another 14:20:10 store. He thought he was going to be working
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1	Page 126		Page 128
1	Kenneth, he kept complaining about, hey, I	1	asked me about which one are you asking me
2	wanted to go to this department, what's going	2	about, terminating white employees or cutting
3	on. His hours also ended up getting cut.	3	hours? You asked me two questions.
4	Q. Because he wanted to move to a	4	Q. First of all, terminating. You're
5	different department? 14:21:08	5	saying Mark Rankin has only terminated one 14:22:34
6	A. Because he kept going to Mark, and	6	white employee, to your knowledge?
7	Mark was feeling like he's a waste, he just	7	A. One white employee, yes. That is
8	needs to go, so they just cut the hours. No	8	correct.
9	different from what he did with Terrance. If	9	Q. Through all those years at Best
10	you're working less hours, you'll just quit and	10	Buy, Macedonia 14:22:42
11	go.	11	A. Macedonia between Castleton
12	Q. He never cut hours on white	12	at Castleton, I never seen him let go of
13	employees?	13	anybody, to be honest with you. And in
14	A. What was that again?	14	Mayfield, him working there while I was working
15	Q. Mark Rankin never cut hours on any 14:21:27	15	there was very short lived because he got 14:22:56
16	white employees?	16	promoted. And then in Macedonia, we were, we
17	A. No, he hasn't.	17	spent three, four months just opening up the
18	Q. Never terminated any white	18	store, and the store wasn't even opened, and it
19	employees?	19	was getting into the holiday rush, and I was
20	A. Well, he terminated one for 14:21:34	20	gone in April. I mean, that time went by, so I 14:23:05
21	stealing.	21	wouldn't say you say over the years, when
22	Q. Okay.	22	you put all that time together, that might just
23	A. He terminated one for stealing.	23	be a year that I spent working in a building
24	That he wasn't even and to be honest with	24	with Mark Rankin. And yes, I've only known of
25	you, that he wasn't even present for. 14:21:40	25	one white male to get terminated that was under 14:23:20
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١,	Page 127	١.	Page 129
1	Q. Okay. Well, you worked with Mark	1	a Mark Rankin establishment for the simple fact
2	Q. Okay. Well, you worked with Mark for a number of years with him as a supervisor.	2	a Mark Rankin establishment for the simple fact that he admitted to stealing.
2 3	Q. Okay. Well, you worked with Mark for a number of years with him as a supervisor. You never saw him	2	a Mark Rankin establishment for the simple fact that he admitted to stealing.  Q. How about whites with reduction in
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2 3 4 5	Q. Okay. Well, you worked with Mark for a number of years with him as a supervisor. You never saw him A. You say a number of years, I worked for him a little bit at the Castleton store, 14:21:53	2 3 4 5	a Mark Rankin establishment for the simple fact that he admitted to stealing.  Q. How about whites with reduction in hours?  A. No. I've never even seen any of 14:23:30
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You raised that with him in front 3 openly admit that, yes, maybe Suzzy, beceause she 9 was the eashier, she knew what was going on. 10 Drew, yes, because he was being the messenger 10 prew, yes, because he was being the messenger 14:25:52 15 use firm in thiring? 16 total kef mily tell him just go away, you're 17 ging back and forth and everything. And I had 18 to like firmly tell him just go away, you're 19 uspetting the customer, what have you and he 19 left. Yes, maybe he knew Mark says to do this. 19 but Mike keeps saying to do this. But as far 14:25:52 18 and yells at me, and I have to walk off: 16 told us? 16 just don't was treated differently. 16 Q. How else did he raise 18 the only time? 19 A. Yes. That was the only time. 20 Q. How else did he raise the only time? 21 A. Him, I wouldn't say treated 22 A. Him, I wouldn't say treated 23 differently. I've observed his behavior with 24 African males and females. I've observed that. 25 With dealing with the customer, also with the 26 hiring of employees, and also with the 27 hiring of employees, 28 Q. We talked about the hiring, right? 14:27:29 29 A. Right. 20 Q. We talked about the hiring, right? 14:27:36 20 Q. The point where you guys were 21 you said that, I asked you how Mark 22 you greformance or your conduct in front of 23 others? 24 A. No. He did not	10	Q. How were you treated differently? 14:24:46	10	you here to be a jiggilo and get somebody 14:26:44
13   doors.   13   Whereas another white male can say, hey. can 1   14   close on a house, and he can just go. Yes. 1   15   close on a house, and he can just go. Yes. 1   16   close on a house, and he can just go. Yes. 1   16   close on a house, and he can just go. Yes. 1   17   close on a house, and he can just go. Yes. 1   18   close on a house, and he can just go. Yes. 1   18   close on a house, and he can just go. Yes. 1   18   close on a house, and he can just go. Yes. 1   18   close on a house, and he can just go. Yes. 1   18   close on a house, and he can just go. Yes. 1   18   close on a house, and he can just go. Yes. 1   18   close on a house, and he can just go. Yes. 1   18   close on a house, and he can just go. Yes. 1   18   close on a house, and he can just go. Yes. 1   18   close on a house, and he can just go. Yes. 1   18   close on a house, and he can just go. Yes. 1   18   close on a house, and he can just go. Yes. 1   18   close on a house, and he can just go. Yes. 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In the only time.   18   close on a house, and he can just g	13 doors. 14 Q. What other dispute did he handle 15 openly with you, besides from the one that you 16 told us? 17 A. With the employees coming up 18 talking about their hours are being cut, you 19 want to know about the black male, and me 20 telling him. hey, that's a black customer that 21 you're trying to charge a restocking fee, and 22 you're trying to charge a restocking fee, and 23 want to sound like a racist, because l'm not, 24 like, you know, a white family come in, hey, 1 25 just don't want it, I'm going to return it. 26 14 Hey, why not. Everything is fine. No 27 restocking fee. But then you get a guy around 28 here, you want to give him a hard time, you 29 know, so — 30 Q. You raised that with him in front 31 ledge for him about the black male, and me 32 want to sound like a racist, because l'm not, 33 like, you know, a white family come in, hey, 1 34 like, you know, a white family come in, hey, 1 35 just don't want it, I'm going to return it. 36 like mair tent you in front of others? 37 A. Him, I wouldn't say treated 38 differently. I've observed that, 38 Whthealing with erustomer, also with 39 was the cashier, she knew what was going on. 30 pervy yes, because he was being the messenger 30 purp admit that, yes, maybe Suzy, because she 31 want to know about the black male, and me 32 differently. I've observed this behavior with 34 African males and females. I've observed that, 35 With dealing with employees, and also with the 36 hirring of employees. 39 Q. Okay. 40 A. I saw that, I observed him. 40 Q. We talked about the hirring, right? 41 Left. Yes, maybe be knew Mark says to do this. 41 Justing the main the right? 42 A. You said up to — 43 differently. I've observed that, 44 A. I saw that, 45 With dealing with employees, and also with the 45 hirring of employees. 46 A. I saw that, I observed him. 47 Q. We talked about the hirring, right? 48 A. I saw that, I observed him. 49 Vou wait op to the point of others? 40 Q. And, again, on the hirring with him. you didn't have any issues with Mark Rankin, rig	13 doors. 14 Q. What other dispute did he handle 15 openly with you, besides from the one that you 16 told us? 17 A. With the employees coming up 18 talking about their hours are being cut, you 19 want to know about the black male, and me 20 telling him. hey, that's a black customer that 21 you're trying to charge a restocking fee, and 22 you're trying to charge a restocking fee, and 23 want to sound like a racist, because l'm not, 24 like, you know, a white family come in, hey, 1 25 just don't want it, I'm going to return it. 26 1 Hey, why not. Everything is fine. No 27 restocking fee. But then you get a guy around 28 here, you want to give him a hard time, you 29 know, so 30 Q. You raised that with him in front 31 dose. 32 Page 131 33 Whereas another white male can say, hey, can I 4 close on a house, and he can just go. Yes. I 5 feel like lwas treated differently. 4 he noty juine. 4 like honly time. 5 Q. What other times did he raise 4 issues with you in front of others? Was that 4 the only time?  4 A. Yes. That was the only time. 4 A. Him, I wouldn't say treated 4 differently. I've observed his behavior with 4 African males and females. I've observed that. 4 Swith dealing with enuployees, and also with the hirring of employees. 5 Q. You raised that with him in front 5 Q. We talked about the hirring, right? 6 A. Yes. we have. 7 Q. We talked about the hirring, right? 8 A. Right. 9 was the cashier, she knew what was going on. 10 Drew, yes, because he was being the messenger 14.25.52 10 going back and forth and everything. And I had 11 ultimately came toI mean, up to the point 12 to like firmly tell him just go away, you're 13 upsetting the customer, what have you and he 14 left. Yes, maybe he knew Mark says to do this. 15 but Mike keeps saying to do this. But as far 14.25.52 16 as the whole store, no. Nothing like that. 16 left. We was a dout all the issues you didn't that, right? 17 Q. Well the question was, and please 18 answer the question, not go off. The question 19 was, you said that, I asked you ho	11	A. Just like the handling disputes, he	11	pregnant, and this and that, and what have you,
14   Q. What other dispute did he handle   15 openly with you, besides from the one that you   14:24:56   16 told us?   17   A. With the employees coming up   18 talking about their hours are being cut, you   18 the only time?   19 want to know about the black male, and me   19 want to know about the black male, and me   19 telling him. hey, that's a black customer that   14:25:05   20 you're trying to charge a restocking fee, and   21 told the aracist, because I'm not,   23 want to sound like a racist, because I'm not,   24 like, you know, a white family come in, hey, I   25 just don't want it, I'm going to return it.   14:25:18   25 With dealing with the customer, also with   14:27:20   27 want to sound like a racist, because I'm not,   23 told ferently. I want to sound like a racist, because I'm not,   24 like, you know, a white family come in, hey, I   24 like, you know, a white family come in, hey, I   25 just don't want it, I'm going to return it.   14:25:18   25 With dealing with the customer, also with   14:27:20   26 of others?   27 A. No, I did not. The others, I would   28 openly admit that, yes, maybe Suzy, because she was the cashier, she knew what was going on.   29 was the cashier, she knew what was going on.   20 Cokay.   21 dealing with employees, and also with the initing of employees.   28	14   Q. What other dispute did he handle   15 openly with you, besides from the one that you   14:24:56   16 told use.   14:27:00   16   Q. What other times did he raise   17   18 talking about their hours are being cut, you   18 talking about their hours are being cut, you   18 talking about their hours are being cut, you   18 talking about their hours are being cut, you   18 talking about their hours are being cut, you   18 to not want to flow and to know about the black male, and me   19	14   Q. What other dispute did he handle   15   openly with you, besides from the one that you   14:24:56   16   told us?   16   Q. What other times did he raise   17   is the like I was treated differently. I 4:27:00   16   Q. What other times did he raise   issues with you in front of others? Was that   the only time?   18   talking about their hours are being cut, you   18   the only time?   19   A. Yes. That was the only time.   20   telling him. hey, that's a black customer that   14:25:05   21   you're trying to charge a restocking fee, and   21   differently than other white supervisors?   22   Ve seen people come in here - and I don't   23   want to sound like a racist, because I'm not,   24   like, you know, a white family come in, hey, I   24   A Him., I wouldn't say treated   differently than other white supervisors?   22   A. No. I did not. The others, I would   14:25:18   The was the cashier, she knew what was going on.   25   Q. You raised that with him in front   14:25:26   3   dealing with employees, and also with the   2   hiring of employees.   3   Q. Okay.   A. I saw that, I observed him.   4   A. You said one way was that he raised issues with   19   A. You said one way was that he raised issues with   19   A. You said one way was that he raised issues with   14:27:56   you preformance or your conduct in front of   22   Q. And clearly. Mark made the final   23   decision as to who would be hired or not,   19   7   7   You said one way was that he raised issues with   14:27:56   you preformance or your conduct in front of   23   decision as to who would be hired or not,   14:27:56   you.   24   A. No. He did not raise issues about   14:27:56   you.   14:27:50   you.   14:27:50   you.   15   you.	12	did it openly, and he would do it behind closed	12	and yells at me, and I have to walk off.
15 openly with you, besides from the one that you   14:24:56   16 told us?   17   A. With the employees coming up   18 talking about their hours are being cut, you   18 talking about their hours are being cut, you   18 talking about their hours are being cut, you   18 talking about their hours are being cut, you   18 the only time?   18 the only time?   18 the only time?   19	15 openly with you, besides from the one that you 14:24:56 lold us? 17 A. With the employees coming up 18 talking about their hours are being cut, you want to know about the black male, and me 19 want to know about the black male, and me 19 telling him. hey, that's a black customer that 14:25:05 20 you're trying to charge a restocking fee, and 21 like, you know, a white family come in, hey, 1 21 like, you know, a white family come in, hey, 1 24 like, you know, a white family come in, hey, 1 25 just don't want it, I'm going to return it. 14:25:18 25 With dealing with the customer, also with 14:27:20 4 know, so 2 restocking fee. But then you get a guy around 3 here, you want to give him a hard time, you 4 know, so 4 A. No, I did not. The others, I would openly admit that, yes, maybe Suzy, because she was the cashier, she knew what was going on. Drow, yes, because the was being the messenger 14:25:39 10 going back and forth and everything. And I had 12 to like firmly tell him just go away, you're 14 left. Yes, maybe he knew Mark says to do this, 15 but Mike keeps saying to do this. But as far 14:25:52 16 as the whole store, no. Nothing like that. 7 Q. Well, the question was, and please answer the question, not go off. The question was, you said that, I asked you how Mark 19 you performance or your conduct in front of 20 you going into the hiring with him, you 3 didn't have any issues with Mark Rankin, right? 14:27:47 hiring at the hotel for your new management 14:27:56 17 you said one way was that he raised issues with 29 your performance or your conduct in front of 21 desired. A No. He did not raise issues about 24 fight?	15 openly with you, besides from the one that you 14:24:56 lold us? 17 A. With the employees coming up talking about their hours are being cut, you want to know about the black male, and me telling him. hey, that's a black customer that 14:25:05 log ling him, hey, that's a black customer that 14:25:05 log ling him, hey, that's a black customer that 14:25:05 log ling him, hey, that's a black customer that 14:25:05 log ling him, hey, that's a black customer that 14:25:05 log ling him, hey, that's a black customer that 14:25:05 log ling him, hey, that's a black customer that 14:25:05 log ling him, hey, that's a black customer that 14:25:05 log ling him, hey, that's a black customer that 14:25:05 log ling him, hey, that's a black customer that 14:25:05 log ling him, hey, that's a black customer that 14:25:05 log ling him, hey, that's a black customer that 14:25:05 log ling him, hey, that's a black customer that 14:25:05 log ling him, hey, that's a black customer that 14:25:18 log ling him, hey, that's a black customer that 14:25:18 log ling him, hey, that's a black customer that 14:25:18 log ling him, hey, that's a black customer that 14:25:18 log ling him, hey, that's a black customer that 14:25:18 log ling him, hey, that's a black customer hat 14:25:18 log ling him, hey, that's a black customer hat 14:25:18 log ling him, hey, that's a black customer hat 14:25:18 log ling him, hey, that's a black customer hat 14:25:18 log ling him, hey, that's a black customer hat 14:25:18 log ling him, hey, that's a black customer hat 14:25:18 log ling him, hey, that's a black customer hat 14:25:18 log ling him, hey, that's a black customer hat 14:25:18 log ling him, hey, that's a black customer hat 14:25:18 log ling him, hey, that's a black customer hat 14:25:18 log ling him, him in him, him, him, him, him, him, him, him,	13	doors.	13	Whereas another white male can say, hey, can I
16 told us?  17 A. With the employees coming up 18 talking about their hours are being cut, you 19 want to know about the black male, and me 20 telling him. hey. that's a black customer that 14:25:05 21 you're trying to charge a restocking fee, and 22 I've seen people come in here and I don't 23 want to sound like a racist, because I'm not, 24 like, you know, a white family come in, hey, I 25 just don't want it, I'm going to return it. 14:25:18  Page 131  1 Hey, why not. Everything is fine. No 2 restocking fee. But then you get a guy around 3 here, you want to give him a hard time, you 4 know, so 5 Q. You raised that with him in front 14:25:26 6 of others? 7 A. No, I did not. The others, I would 8 openly admit that, yes, maybe Suzy, because she 9 was the cashier, she knew what was going on. 10 Drew, yes, because he was being the messenger 14:25:39 11 going back and forth and everything. And I had 12 to like firmly tell him just go away, you're 13 upsetting the customer, what have you and he 14 left. Yes, maybe he knew Mark says to do this. 15 but Mike keeps saying to do this. But as far 14:25:52 16 as the whole store, no. Nothing like that. 17 Q. Well. the question was, and please 18 answer the question, not go off. The question 19 was, you said that, I asked you how Mark 20 treated you differently than other supervisors. 14:26:04  16 A. Yes. That was the only time. 16 A. Yes. That was the only time. 17 differently than other with tew hen you ind ready of differently than other supervisors? 20 Q. How else did he treat you 14:27:05  21 differently than other with tew hen you ind he hend, form, and the only time. 22 differently than other way readed 23 differently than other way readed 24 differently than other way readed 25 differently than other way readed 26 differently than other way readed 27 A. Him, I wouldn't say treated 28 differently than other way readed 29 differently than other way readed 29 differently than other way readed 29 differently than other supervisors. 20 Cokay. 21 dealing with employ	16 told us?  A. With the employees coming up 18 talking about their hours are being cut, you 19 want to know about the black male, and me 20 telling him, hey, that's a black customer that 14:25:05 21 you're trying to charge a restocking fee, and 22 I've seen people come in here and I don't 23 want to sound like a racist, because I'm not, 24 like, you know, a white family come in, hey, 1 25 just don't want it, I'm going to return it. 14:25:18  Page 131 1 Hey, why not. Everything is fine. No 26 restocking fee. But then you get a guy around 3 here, you want to give him a hard time, you 4 know, so 5 Q. You raised that with him in front 14:25:26 6 of others? 7 A. No, I did not. The others, I would 8 openly admit that, yes, maybe Suzy, because she was being the messenger 14:25:39 10 prew, yes, because he was being the messenger 14:25:40 11 going back and forth and everything. And I had 12 to like firmly tell him just go away, you're 14 left. Yes, maybe he knew Mark says to do this, 15 but Mike keeps saying to do this. But as far 14:25:52 18 as the whole store, no. Nothing like that. 17 Q. Well, the question was, and please answer the question, not go off. The question was, you aid that, I asked you how Mark 19 your performance or your conduct in front of was, you said that, I asked you how Mark 19 your performance or your conduct in front of 20 of thers?  A. No. He did not raise issues about 14:26:04 A. No. He did not raise issues about 14:27:56  Q. Wel alked about the hirring, it 14:27:36 I ultimately came to I mean, up to the point team.  A. No asid that, I asked you how Mark 19 your performance or your conduct in front of 22 decision as to who would be hired or not, right?	16	14		14	
17 A. With the employees coming up 18 talking about the black male, and me 20 telling him, hey, that's a black customer that 21 tyou're trying to charge a restocking fee, and 22 I've seen people come in here and I don't 23 want to sound like a racist, because I'm not, 24 like, you know, a white family come in, hey, I 25 just don't want it, I'm going to return it. 26 Just don't want it, I'm going to return it. 27 Jege 131 28 Hey, why not. Everything is fine. No 29 Page 131 29 Page 131 20 Page 131 21 Hey, why not. Everything is fine. No 20 Rokay. 30 here, you want to give him a hard time, you 41 know, so 42 Q. Wo talked about the hirring, right? 43 A. No, I did not. The others, I would 44 openly admit that, yes, maybe Suzy, because she 45 was the cashier, she knew what was going on. 46 lofthers? 47 A. No, I did not. The others, I would 48 openly admit that, yes, maybe Suzy, because she 48 was the cashier, she knew what was going on. 40 Drow, yes, because he was being the messenger 14:25:39 41 going back and forth and everything. And I had 41 left. Yes, maybe he knew Mark says to do this. 45 but Mike keeps saying to do this. But as far 14:25:52 46 lifterently than other white supervisors? 47 Q. We talked about the hirring, right? 48 African males and females. I've observed him. 49 Q. We was the dablow the hirring right? 40 A. 1 saw that, I observed him. 40 Q. We talked about the hirring, right? 41:27:29 41 A. No, I did not. The others, I would 42 African males and females. I've observed him here you going into the hirring right? 41:27:29 42 A. Him, I wouldn't say treated 43 differently than other white supervisors? 44 A. Him, I wouldn't say treated 45 African males and females. I've observed him behavior with 46 dealing with the customer, also with 14:27:20 47 A. No, I did not. The others, I would 48 openly admit that, yes, maybe beause she 49 was the cashier, she knew what was going on. 40 Q. We talked about the hirring, it 14:27:36 40 Q. Mad. again, on the hirring, it 14:27:36 41 Unimately came to	17 issues with you in front of others? Was that talking about their hours are being cut, you 18 the only time? 19 want to know about the black male, and me 19 vou're trying to charge a restocking fee, and 21 rye seen people come in here and I don't 22 want to sound like a racist, because I'm not, 23 differently. I've sobserved his behavior with 24 like, you know, a white family come in, hey, I 25 just don't want it, I'm going to return it. 14:25:18 25 With dealing with the customer, also with 14:27:20  Page 131	17 issues with you in front of others? Was that talking about their hours are being cut, you 19 want to know about the black male, and me 19 vant to know about the black male, and me 19 vou're trying to charge a restocking fee, and 1 don't 21 vescen people come in here — and I don't 22 want to sound like a racist, because I'm not, 23 differently than other white supervisors? 21 you're trying to charge a restocking fee, and 22 I've seen people come in here — and I don't 23 want to sound like a racist, because I'm not, 24 like, you know, a white family come in, hey, I 24 like, you know, a white family come in, hey, I 25 just don't want it, I'm going to return it. 14:25:18 25 With dealing with the customer, also with 14:27:20 With dealing with the customer, also with 14:27:20 With dealing with employees, and also with the 2 hirring of employees. 30 Q. Okay. 4 know, so — 4 A. I saw that, I observed him. 5 Q. We talked about the hirring, right? 14:27:29 6 6 of others? 6 A. No, I did not. The others, I would 8 openly admit that, yes, maybe Suzy, because she was the cashier, she knew what was going on. 10 Drew, yes, because he was being the messenger 14:25:39 10 going back and forth and everything. And I had 12 to like firmly tell him just go away, you're 19 uspecting the customer, what have you and he 13 didn't have any issues with Mark Rankin. right? 14:27:47 hiring at the hotel for you renew management 14:27:47 hiring at the hotel for you renew management 14:27:47 hiring at the hotel for you renew management 14:27:56 You said one way was that he raised issues with 23 others? 24 A. No. He did not raise issues about 24 Gifferently. For observed him. 14:27:56 your performance or your conduct in front of 22 G. How else did he treat you in front of 24 A. Him, I wouldn't say treated differently than other white supervisors? 24 A. Him, I wouldn't say treated differently. For observed him the only time. 25 differently. For observed him the only time. 26 A. Him, I wouldn't say treated differently. For observed him the only	15	• • •	15	feel like I was treated differently. 14:27:00
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22   I've seen people come in here and I don't want to sound like a racist, because I'm not,   24   like, you know, a white family come in, hey, I   25   just don't want it, I'm going to return it.   14:25:18   25   With dealing with the customer, also with   14:27:20	22   I've seen people come in here and I don't want to sound like a racist, because I'm not,   24   like, you know, a white family come in, hey, I   25   just don't want it, I'm going to return it.   14:25:18   25   With dealing with the customer, also with   14:27:20	22 I've seen people come in here and I don't 23 want to sound like a racist, because I'm not, 24 like, you know, a white family come in, hey, I 25 just don't want it, I'm going to return it. 14:25:18  Page 131  Page 131  Page 131  Hey, why not. Everything is fine. No restocking fee. But then you get a guy around here, you want to give him a hard time, you know, so  Q. You raised that with him in front 14:25:26  of others?  A. No, I did not. The others, I would openly admit that, yes, maybe Suzy, because she was the cashier, she knew what was going on.  Drew, yes, because he was being the messenger 14:25:39 It going back and forth and everything. And I had to like firmly tell him just go away, you're upsetting the customer, what have you and he left. Yes, maybe he knew Mark says to do this, but Mike keeps saying to do this. But as far 14:25:52  as the whole store, no. Nothing like that. Q. Well, the question, not go off. The question was, you said that, I asked you how Mark treated you differently than other supervisors. 14:26:04 Q. An No. He did not raise issues about  22 A. Him, I wouldn't say treated differently. I've observed hits behavior with African males and females. I've observed that.  24 African males and females. I've observed that.  25 With dealing with the customer, also with 14:27:20  A Haim, I woolden't sobserved his behavior with African males and females. I've observed that.  25 With dealing with the customer, also with 14:27:20  A Leading with employees, and also with the hiring of employees.  Q. Okay.  A A I saw that, I observed him. Q. We talked about the hiring, right? 14:27:29 A Ne talked about all the issues you had with him in hirring? A Right. Q. And, again, on the hiring, with him. you didn't have any issues with Mark Rankin. right?  A You said up to Q. The point where you guys were 14:27:47 hiring at the hotel for your new management team.  A Right. The first issue was the senior. The very first issue was the senior. The very first issue was the senior.  A No He did not raise	20	telling him. hey. that's a black customer that 14:25:05	20	Q. How else did he treat you 14:27:05
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24   like, you know, a white family come in, hey, 1   25   just don't want it, I'm going to return it.   14:25:18   25   With dealing with the customer, also with   14:27:20	24 like, you know, a white family come in, hey, I 25 just don't want it, I'm going to return it. 14:25:18  Page 131  Page 131  Hey, why not. Everything is fine. No 2 restocking fee. But then you get a guy around 3 here, you want to give him a hard time, you 4 know, so 5 Q. You raised that with him in front 14:25:26 6 of others? 7 A. No, I did not. The others, I would 8 openly admit that, yes, maybe Suzy, because she 9 was the cashier, she knew what was going on. 10 Drew, yes, because he was being the messenger 14:25:39 11 going back and forth and everything. And I had 1 to like firmly tell him just go away, you're 13 upsetting the customer, what have you and he 14 left. Yes, maybe he knew Mark says to do this. But as far 14:25:52 16 as the whole store, no. Nothing like that. 7 Q. Well, the question was, and please answer the question, not go off. The question was, you said that, I asked you how Mark treated you differently than other supervisors. 14:26:04 17 You said one way was that he raised issues with 20 your performance or your conduct in front of 22 Q. And clearly, Mark made the final 23 others? 24 African males and females. I've observed that. 25 With dealing with the customer, also with 14:27:20  Wet alked about the hiring, right? 14:27:29  6 A. Yes, we have.  7 Q. We talked about all the issues you  8 had with him in hiring?  9 A. Right. 10 Q. And, again, on the hiring, it 14:27:36  11 ultimately came to I mean, up to the point of you going into the hiring with him, you  13 didn't have any issues with Mark Rankin. right?  14 A. You said up to  Q. We talked about all the issues you of you going into the hiring with him, you  15 but Mike keeps saying to do this. But as far 14:25:52  16 as the whole store, no. Nothing like that.  17 Q. Well, the question was, and please answer the question, not go off. The question  18 A. Right. The first issue was the senior.  19 **The complex of the point of your new management in the hiring of the hiring of mployees.  20 And clearly, Mark made the final decisi	24 like, you know, a white family come in, hey, I 25 just don't want it, I'm going to return it. 14:25:18  Page 131  1 Hey, why not. Everything is fine. No 2 restocking fee. But then you get a guy around 3 here, you want to give him a hard time, you 4 know, so 5 Q. You raised that with him in front 14:25:26 6 of others? 7 A. No, I did not. The others, I would 8 openly admit that, yes, maybe Suzy, because she 9 was the cashier, she knew what was going on. 10 Drew, yes, because he was being the messenger 14:25:39 11 going back and forth and everything. And I had to like firmly tell him just go away, you're 13 utpsetting the customer, what have you and he 14 left. Yes, maybe he knew Mark says to do this. 15 but Mike keeps saying to do this. But as far 14:25:52 as the whole store, no. Nothing like that. 17 Q. Well, the question was, and please answer the question, not go off. The question was, you said that, I asked you how Mark treated you differently than other supervisors. 14:26:04 17 You said one way was that he raised issues with your performance or your conduct in front of 22 24 A frican males and females. I've observed that. 25 With dealing with the customer, also with 14:27:20 26 Wet alked about the hiring, right? 14:27:29 28 A frican males and females. I've observed that. 29 Wath dealing with the customer, also with 14:27:20 20 Lealing with employees, and also with the customer, also with 14:27:29 20 A. Yes, we have. 21 A frican males and females. I've observed that. 22 With dealing with the customer, also with 14:27:20 20 And align with employees, and also with the customer, also with the customer. also with 14:27:20 21 dealing with employees, and also with the customer, also with the customer, also with the customer. also with the customer. also with the customer. also with the customer. also with the customer, also with the customer. also with the customer. also with the customer, also with the customer, also with the customer. also with the customer, also with the customer. also with the customer, a	22	I've seen people come in here and I don't	22	A. Him, I wouldn't say treated
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24 A. No. He did not raise issues about 24 right?	25 my performance or conduct in front of others 14:26:14   25 A That is correct 14:28:04	25 my performance or conduct in front of others. 14:26:14 25 A. That is correct. 14:28:04	19 20 21 22	answer the question, not go off. The question was, you said that, I asked you how Mark treated you differently than other supervisors. 14:26:04 You said one way was that he raised issues with your performance or your conduct in front of	19 20 21 22 23	that Wayne wanted the African American male, 14:27:56 yes.  Q. And clearly, Mark made the final
25 my performance or conduct in front of others. 14:26:14 25 A. That is correct. 14:28:04	my performance of conduct in front of cutofs. 17.20.17 20 A. That is confect. 14.20.04		19 20 21 22 23	answer the question, not go off. The question was, you said that, I asked you how Mark treated you differently than other supervisors. 14:26:04 You said one way was that he raised issues with your performance or your conduct in front of others?	19 20 21 22 23	that Wayne wanted the African American male, yes. Q. And clearly, Mark made the final decision as to who would be hired or not,
1 · · · · · · · · · · · · · · · · · · ·		34 (Pages 130 to 133)	19 20 21 22 23 24	answer the question, not go off. The question was, you said that, I asked you how Mark treated you differently than other supervisors. 14:26:04 You said one way was that he raised issues with your performance or your conduct in front of others?  A. No. He did not raise issues about	19 20 21 22 23 24	that Wayne wanted the African American male, yes.  Q. And clearly, Mark made the final decision as to who would be hired or not, right?

1	Page 134		Page 136
1	<ul> <li>Q. And Mark decided he was going to</li> </ul>	1	that you're not a go-getter, what would you
2	transfer somebody from another store rather	2	take that as?
3	than hire an African American?	3	Q. I don't know how I would take it
4	A. I mean, if the question is the	4	as. I certainly wouldn't jump to the
5	questions that you're asking is really like an 14:28:16	5	conclusion it was based on race. 14:29:59
6	opinion. But it was in my opinion that he	6	A. Okay. I'm just saying a go-getter,
7	didn't bring the guy on because he was African	7	just like even the term. This is what he told
8	American.	8	us, whereas with other people, this person is
9	Q. And what I'm getting at, it was	9	not qualified, or this person doesn't have
10	exactly that. It was nothing more than an 14:28:28	10	experience, or what have you. 14:30:10
1.1	opinion. You didn't have anything other than	11	Q. So ultimately it was nothing more
12	the fact that the person you wanted to hire was	12	than you believed this African American did
13	black, you had nothing to base your decision	13	you know Drew, did you even know the transfer's
14	that this was racism?	14	name when the decision
15	A. Right. And just like it was my 14:28:40	15	A. Yes. Drew Degenero, because his 14:30:23
16	opinion that I know we don't charge restocking	16	brother was on the district staff.
17	fees for	17	Q. Okay. So his brother was on the
18	Q. And we need to stay on the	18	district staff?
19	question. Because I have all day. We'll be	19	A. That's correct.
20	here until 8:00. I'm fine with that. But if 14:28:47	20	Q. Do you think maybe the district 14:30:29
21	you just answer the question.	21	staff said, Mark, if you got a position for
22	My question to you is, as to the	22	Drew. bring him in?
23	hiring of that senior, when Mark made this	23	A. Oh, I'm sure.
24	decision not to hire an African American for	24	Q. So there could have been reasons
25	the senior, to transfer somebody from another 14:28:58	25	other than race, right? 14:30:35
-		-	
١.	Page 135	,	Page 137  A. There could have been other reasons
] ]	store, and I'm just asking you questions about that, I don't want to hear all the other stuff.	1 2	than race.
2	·		
3	About that. Up to that point, you hadn't had any issues with Mark Rankin, right?	3	Q. But yet you jumped to the
4	•	4	conclusion then, you're telling me then you jumped to the conclusion that it was race based 14:30:41
5	A. Okay. 14:29:10	l 5	numbed to the conclusion that it was race based 14:50:41
6	O D'-140	,	•
1 -	Q. Right?	6	just on your subjective view?
7	A. That is correct.	6 7	just on your subjective view?  A. Right. And based upon the
8	<ul><li>A. That is correct.</li><li>Q. Okay. He didn't say he wasn't</li></ul>	7 8	just on your subjective view?  A. Right. And based upon the responses that we got from Mark compared to
8 9	A. That is correct.  Q. Okay. He didn't say he wasn't hiring the African American because he was	7 8 9	just on your subjective view?  A. Right. And based upon the responses that we got from Mark compared to other people's responses as far as why we
8 9 10	A. That is correct. Q. Okay. He didn't say he wasn't hiring the African American because he was black, right? 14:29:17	7 8 9 10	just on your subjective view?  A. Right. And based upon the responses that we got from Mark compared to other people's responses as far as why we didn't hire them and bring them aboard.  14:30:52
8 9 10 11	A. That is correct. Q. Okay. He didn't say he wasn't hiring the African American because he was black, right? 14:29:17 A. Right.	7 8 9 10 11	just on your subjective view?  A. Right. And based upon the responses that we got from Mark compared to other people's responses as far as why we didn't hire them and bring them aboard.  Q. Well. you have someone in the
8 9 10 11 12	A. That is correct.  Q. Okay. He didn't say he wasn't hiring the African American because he was black, right?  A. Right.  Q. He had his reasons. He said he	7 8 9 10 11 12	just on your subjective view?  A. Right. And based upon the responses that we got from Mark compared to other people's responses as far as why we didn't hire them and bring them aboard.  Q. Well. you have someone in the district office who you said may have been
8 9 10 11 12 13	A. That is correct.  Q. Okay. He didn't say he wasn't hiring the African American because he was black, right? 14:29:17  A. Right.  Q. He had his reasons. He said he wasn't a good fit?	7 8 9 10 11 12 13	just on your subjective view?  A. Right. And based upon the responses that we got from Mark compared to other people's responses as far as why we didn't hire them and bring them aboard.  Q. Well. you have someone in the district office who you said may have been asking Mark to bring on his brother, right?
8 9 10 11 12 13 14	A. That is correct.  Q. Okay. He didn't say he wasn't hiring the African American because he was black, right?  A. Right.  Q. He had his reasons. He said he wasn't a good fit?  A. He did not give us his reasons.	7 8 9 10 11 12 13 14	just on your subjective view?  A. Right. And based upon the responses that we got from Mark compared to other people's responses as far as why we didn't hire them and bring them aboard.  Q. Well. you have someone in the district office who you said may have been asking Mark to bring on his brother, right?  A. Right.
8 9 10 11 12 13 14 15	A. That is correct. Q. Okay. He didn't say he wasn't hiring the African American because he was black, right? 14:29:17 A. Right. Q. He had his reasons. He said he wasn't a good fit? A. He did not give us his reasons. Like with other people weren't hired, he would 14:29:24	7 8 9 10 11 12 13 14 15	just on your subjective view?  A. Right. And based upon the responses that we got from Mark compared to other people's responses as far as why we didn't hire them and bring them aboard.  Q. Well. you have someone in the district office who you said may have been asking Mark to bring on his brother, right?  A. Right.  Q. You had somebody transferring who 14:30:58
8 9 10 11 12 13 14 15 16	A. That is correct. Q. Okay. He didn't say he wasn't hiring the African American because he was black, right? 14:29:17 A. Right. Q. He had his reasons. He said he wasn't a good fit? A. He did not give us his reasons. Like with other people weren't hired, he would say stuff like, well, this guy he, you know,	7 8 9 10 11 12 13 14 15 16	just on your subjective view?  A. Right. And based upon the responses that we got from Mark compared to other people's responses as far as why we didn't hire them and bring them aboard.  Q. Well. you have someone in the district office who you said may have been asking Mark to bring on his brother, right?  A. Right.  Q. You had somebody transferring who 14:30:58 was brought in, and actually there was a number
8 9 10 11 12 13 14 15 16 17	A. That is correct. Q. Okay. He didn't say he wasn't hiring the African American because he was black, right? 14:29:17 A. Right. Q. He had his reasons. He said he wasn't a good fit? A. He did not give us his reasons. Like with other people weren't hired, he would say stuff like, well, this guy he, you know, can't talk to people, or this guy here doesn't	7 8 9 10 11 12 13 14 15 16 17	just on your subjective view?  A. Right. And based upon the responses that we got from Mark compared to other people's responses as far as why we didn't hire them and bring them aboard.  Q. Well. you have someone in the district office who you said may have been asking Mark to bring on his brother, right?  A. Right.  Q. You had somebody transferring who 14:30:58 was brought in, and actually there was a number of people on his management team who
8 9 10 11 12 13 14 15 16 17	A. That is correct.  Q. Okay. He didn't say he wasn't hiring the African American because he was black, right?  A. Right.  Q. He had his reasons. He said he wasn't a good fit?  A. He did not give us his reasons. Like with other people weren't hired, he would say stuff like, well, this guy he, you know, can't talk to people, or this guy here doesn't have the experience, or something. There	7 8 9 10 11 12 13 14 15 16 17	just on your subjective view?  A. Right. And based upon the responses that we got from Mark compared to other people's responses as far as why we didn't hire them and bring them aboard.  Q. Well. you have someone in the district office who you said may have been asking Mark to bring on his brother, right?  A. Right.  Q. You had somebody transferring who was brought in, and actually there was a number of people on his management team who transferred from other stores, right?
8 9 10 11 12 13 14 15 16 17 18	A. That is correct.  Q. Okay. He didn't say he wasn't hiring the African American because he was black, right?  A. Right.  Q. He had his reasons. He said he wasn't a good fit?  A. He did not give us his reasons.  Like with other people weren't hired, he would say stuff like, well, this guy he, you know, can't talk to people, or this guy here doesn't have the experience, or something. There was it was something that he would say or	7 8 9 10 11 12 13 14 15 16 17 18	just on your subjective view?  A. Right. And based upon the responses that we got from Mark compared to other people's responses as far as why we didn't hire them and bring them aboard.  Q. Well. you have someone in the district office who you said may have been asking Mark to bring on his brother, right?  A. Right.  Q. You had somebody transferring who was brought in, and actually there was a number of people on his management team who transferred from other stores, right?  A. Just a couple.
8 9 10 11 12 13 14 15 16 17 18 19 20	A. That is correct.  Q. Okay. He didn't say he wasn't hiring the African American because he was black, right?  A. Right.  Q. He had his reasons. He said he wasn't a good fit?  A. He did not give us his reasons.  Like with other people weren't hired, he would say stuff like, well, this guy he, you know, can't talk to people, or this guy here doesn't have the experience, or something. There was it was something that he would say or give and  14:29:42	7 8 9 10 11 12 13 14 15 16 17 18 19 20	just on your subjective view?  A. Right. And based upon the responses that we got from Mark compared to other people's responses as far as why we didn't hire them and bring them aboard.  Q. Well. you have someone in the district office who you said may have been asking Mark to bring on his brother, right?  A. Right.  Q. You had somebody transferring who 14:30:58 was brought in, and actually there was a number of people on his management team who transferred from other stores, right?  A. Just a couple.  Q. A couple? 14:31:09
8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. That is correct.  Q. Okay. He didn't say he wasn't hiring the African American because he was black, right?  A. Right.  Q. He had his reasons. He said he wasn't a good fit?  A. He did not give us his reasons.  Like with other people weren't hired, he would say stuff like, well, this guy he, you know, can't talk to people, or this guy here doesn't have the experience, or something. There was it was something that he would say or give and  Q. Well, correct me if I'm wrong, you	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	just on your subjective view?  A. Right. And based upon the responses that we got from Mark compared to other people's responses as far as why we didn't hire them and bring them aboard.  Q. Well. you have someone in the district office who you said may have been asking Mark to bring on his brother, right?  A. Right.  Q. You had somebody transferring who 14:30:58 was brought in, and actually there was a number of people on his management team who transferred from other stores, right?  A. Just a couple.  Q. A couple? 14:31:09  A. Just a couple. Just me and another
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. That is correct.  Q. Okay. He didn't say he wasn't hiring the African American because he was black, right?  A. Right.  Q. He had his reasons. He said he wasn't a good fit?  A. He did not give us his reasons.  Like with other people weren't hired, he would say stuff like, well, this guy he, you know, can't talk to people, or this guy here doesn't have the experience, or something. There was it was something that he would say or give and  Q. Well, correct me if I'm wrong, you testified earlier that he told you he wasn't a	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	just on your subjective view?  A. Right. And based upon the responses that we got from Mark compared to other people's responses as far as why we didn't hire them and bring them aboard.  Q. Well. you have someone in the district office who you said may have been asking Mark to bring on his brother, right?  A. Right.  Q. You had somebody transferring who 14:30:58 was brought in, and actually there was a number of people on his management team who transferred from other stores, right?  A. Just a couple.  Q. A couple?  A. Just an and another lady.
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. That is correct.  Q. Okay. He didn't say he wasn't hiring the African American because he was black, right?  A. Right.  Q. He had his reasons. He said he wasn't a good fit?  A. He did not give us his reasons.  Like with other people weren't hired, he would say stuff like, well, this guy he, you know, can't talk to people, or this guy here doesn't have the experience, or something. There was it was something that he would say or give and 14:29:42  Q. Well, correct me if I'm wrong, you testified earlier that he told you he wasn't a go-getter, right?	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	just on your subjective view?  A. Right. And based upon the responses that we got from Mark compared to other people's responses as far as why we didn't hire them and bring them aboard.  Q. Well. you have someone in the district office who you said may have been asking Mark to bring on his brother, right?  A. Right.  Q. You had somebody transferring who 14:30:58 was brought in, and actually there was a number of people on his management team who transferred from other stores, right?  A. Just a couple.  Q. A couple? 14:31:09  A. Just a couple. Just me and another lady.  Q. Well, you transferred a number of
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	A. That is correct.  Q. Okay. He didn't say he wasn't hiring the African American because he was black, right?  A. Right.  Q. He had his reasons. He said he wasn't a good fit?  A. He did not give us his reasons.  Like with other people weren't hired, he would say stuff like, well, this guy he, you know, can't talk to people, or this guy here doesn't have the experience, or something. There was it was something that he would say or give and  Q. Well, correct me if I'm wrong, you testified earlier that he told you he wasn't a go-getter, right?  A. Yeah. Just like he was he	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	just on your subjective view?  A. Right. And based upon the responses that we got from Mark compared to other people's responses as far as why we didn't hire them and bring them aboard.  Q. Well. you have someone in the district office who you said may have been asking Mark to bring on his brother, right?  A. Right.  Q. You had somebody transferring who 14:30:58 was brought in, and actually there was a number of people on his management team who transferred from other stores, right?  A. Just a couple.  Q. A couple? 14:31:09  A. Just a couple. Just me and another lady.  Q. Well, you transferred a number of times with Best Buy, right?
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. That is correct.  Q. Okay. He didn't say he wasn't hiring the African American because he was black, right?  A. Right.  Q. He had his reasons. He said he wasn't a good fit?  A. He did not give us his reasons.  Like with other people weren't hired, he would say stuff like, well, this guy he, you know, can't talk to people, or this guy here doesn't have the experience, or something. There was it was something that he would say or give and 14:29:42  Q. Well, correct me if I'm wrong, you testified earlier that he told you he wasn't a go-getter, right?	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	just on your subjective view?  A. Right. And based upon the responses that we got from Mark compared to other people's responses as far as why we didn't hire them and bring them aboard.  Q. Well. you have someone in the district office who you said may have been asking Mark to bring on his brother, right?  A. Right.  Q. You had somebody transferring who 14:30:58 was brought in, and actually there was a number of people on his management team who transferred from other stores, right?  A. Just a couple.  Q. A couple? 14:31:09  A. Just a couple. Just me and another lady.  Q. Well, you transferred a number of

	Page 138		Page 140
1	Q. I'm assuming that if you transfer	1	Q. Okay. Now, so as to the hiring,
2	somebody versus a hire off the street, that	2	it's a subjective view that you just disagreed
3	person may very well have Best Buy knowledge?	3	with Mark's
4	A. That is correct.	4	A. Well, there was also that instance,
5	Q. So that could be a reason why he 14:31:23	5	just with the hiring, I mean, we can pull up a 14:33:07
6	chose to transfer versus hire, correct?	6	roster. But out of all those people that we've
7	A. Could be.	7	interviewed, let me see how many black people
8	Q. Could be. And he had a reason that	8	we had at the store myself, Wayne, which is
9	you disagreed with it, but his reason was that	9	the managers. I've had like three and four,
10	this person's not a go-getter? 14:31:37	10	maybe, out of the 50 something people that 14:33:23
11	A. What is a go-getter? And I hear	11	we've hired. How many blacks that we
12	what you saying. But alls I was saying was	12	interviewed, a lot.
13	when we decided not to bring somebody aboard,	13	As a matter of fact, there was
14	he would recap like why we didn't get this	14	times where they would show up for an
15	person. 14:31:54	15	interview, and Mark wasn't even comfortable 14:33:36
16	Q. Okay.	16	with like what they had on. Tell them just to
17	A. And in my opinion and another	17	leave.
18	manager's opinion that it was because of this	18	Q. Okay. Like what did they have on?
19	guy's race he didn't bring him aboard, because	19	A. It could jeans, shirt, the
20	he didn't give us anything that talked about, 14:32:04	20	guy I can't remember this candidate, I have 14:33:54
21	anything tangible as far as why he wouldn't	21	to ask Wayne. There was a guy like with the
22	bring him aboard.	22	corn rows, the braids in the back of his head
23	Q. Okay. Well, how about if he would	23	or whatnot. Mark told him to go home.
24	have just said, you know what guys, the	24	Q. Well, Terrance, you said it was a
25	district really wants me to bring in the 14:32:15	25	positive when Terrance came in and interviewed 14:34:07
	Page 139		Page 141
1	Page 139 brother, I'm bringing him in, even though this	1	and he came dressed up, right?
1 2	brother, I'm bringing him in, even though this guy's	1 2	and he came dressed up, right?  A. Right. Terrance came in a tie, the
ľ	brother, I'm bringing him in, even though this guy's  A. If he would have said that, we		and he came dressed up, right?  A. Right. Terrance came in a tie, the whole
2	brother, I'm bringing him in, even though this guy's A. If he would have said that, we would have been, oh, okay, honestly, had he	2 3 4	and he came dressed up, right?  A. Right. Terrance came in a tie, the whole  Q. So when you're interviewing, you
2 3	brother, I'm bringing him in, even though this guy's  A. If he would have said that, we would have been, oh, okay, honestly, had he said  14:32:25	2 3 4 5	and he came dressed up, right?  A. Right. Terrance came in a tie, the whole  Q. So when you're interviewing, you want to see how scrious they are about the Best 14:34:17
2 3 4 5 6	brother, I'm bringing him in, even though this guy's  A. If he would have said that, we would have been, oh, okay, honestly, had he said  Q. Does he have to tell you as the	2 3 4 5 6	and he came dressed up, right?  A. Right. Terrance came in a tie, the whole  Q. So when you're interviewing, you want to see how serious they are about the Best 14:34:17 Buy job, right?
2 3 4 5 6 7	brother, I'm bringing him in, even though this guy's  A. If he would have said that, we would have been, oh, okay, honestly, had he said  Q. Does he have to tell you as the manager all the reasons	2 3 4 5 6 7	and he came dressed up, right?  A. Right. Terrance came in a tie, the whole  Q. So when you're interviewing, you want to see how serious they are about the Best 14:34:17  Buy job, right?  A. No. Because even at Best Buy, they
2 3 4 5 6 7 8	brother, I'm bringing him in, even though this guy's  A. If he would have said that, we would have been, oh, okay, honestly, had he said  Q. Does he have to tell you as the manager all the reasons  A. No. He does not have to tell us	2 3 4 5 6 7 8	and he came dressed up, right?  A. Right. Terrance came in a tie, the whole  Q. So when you're interviewing, you want to see how serious they are about the Best 14:34:17  Buy job, right?  A. No. Because even at Best Buy, they send you to all these management training
2 3 4 5 6 7 8 9	brother, I'm bringing him in, even though this guy's  A. If he would have said that, we would have been, oh, okay, honestly, had he said  Q. Does he have to tell you as the manager all the reasons  A. No. He does not have to tell us that.	2 3 4 5 6 7 8	and he came dressed up, right?  A. Right. Terrance came in a tie, the whole  Q. So when you're interviewing, you want to see how serious they are about the Best 14:34:17 Buy job, right?  A. No. Because even at Best Buy, they send you to all these management training courses, and they've actually stated, hey,
2 3 4 5 6 7 8 9	brother, I'm bringing him in, even though this guy's  A. If he would have said that, we would have been, oh, okay, honestly, had he said  Q. Does he have to tell you as the manager all the reasons  A. No. He does not have to tell us that.  Q. Did you tell Drew every reason for 14:32:29	2 3 4 5 6 7 8 9	and he came dressed up, right?  A. Right. Terrance came in a tie, the whole Q. So when you're interviewing, you want to see how scrious they are about the Best 14:34:17 Buy job, right?  A. No. Because even at Best Buy, they send you to all these management training courses, and they've actually stated, hey, careful not to prejudge somebody based upon 14:34:29
2 3 4 5 6 7 8 9 10 11	brother, I'm bringing him in, even though this guy's  A. If he would have said that, we would have been, oh, okay, honestly, had he said  Q. Does he have to tell you as the manager all the reasons  A. No. He does not have to tell us that.  Q. Did you tell Drew every reason for 14:32:29 your decisions?	2 3 4 5 6 7 8 9 10	and he came dressed up, right?  A. Right. Terrance came in a tie, the whole Q. So when you're interviewing, you want to see how scrious they are about the Best 14:34:17 Buy job, right?  A. No. Because even at Best Buy, they send you to all these management training courses, and they've actually stated, hey, careful not to prejudge somebody based upon their appearance. You don't know where they
2 3 4 5 6 7 8 9 10 11	brother, I'm bringing him in, even though this guy's  A. If he would have said that, we would have been, oh, okay, honestly, had he said  Q. Does he have to tell you as the manager all the reasons  A. No. He does not have to tell us that.  Q. Did you tell Drew every reason for 14:32:29 your decisions?  A. Yes. Actually, the way he is, you	2 3 4 5 6 7 8 9 10 11	and he came dressed up, right?  A. Right. Terrance came in a tie, the whole  Q. So when you're interviewing, you want to see how serious they are about the Best 14:34:17 Buy job, right?  A. No. Because even at Best Buy, they send you to all these management training courses, and they've actually stated, hey, careful not to prejudge somebody based upon their appearance. You don't know where they came from, whatever, when you're calling them
2 3 4 5 6 7 8 9 10 11 12	brother, I'm bringing him in, even though this guy's  A. If he would have said that, we would have been, oh, okay, honestly, had he said  14:32:25  Q. Does he have to tell you as the manager all the reasons  A. No. He does not have to tell us that.  Q. Did you tell Drew every reason for 14:32:29 your decisions?  A. Yes. Actually, the way he is, you really do have to tell him why we're doing	2 3 4 5 6 7 8 9 10 11 12 13	and he came dressed up, right?  A. Right. Terrance came in a tie, the whole  Q. So when you're interviewing, you want to see how serious they are about the Best 14:34:17 Buy job, right?  A. No. Because even at Best Buy, they send you to all these management training courses, and they've actually stated, hey, careful not to prejudge somebody based upon their appearance. You don't know where they came from, whatever, when you're calling them in for an interview. Especially with our
2 3 4 5 6 7 8 9 10 11 12 13 14	brother, I'm bringing him in, even though this guy's  A. If he would have said that, we would have been, oh, okay, honestly, had he said  14:32:25  Q. Does he have to tell you as the manager all the reasons  A. No. He does not have to tell us that.  Q. Did you tell Drew every reason for your decisions?  A. Yes. Actually, the way he is, you really do have to tell him why we're doing something.	2 3 4 5 6 7 8 9 10 11 12 13	and he came dressed up, right?  A. Right. Terrance came in a tie, the whole  Q. So when you're interviewing, you want to see how serious they are about the Best 14:34:17 Buy job, right?  A. No. Because even at Best Buy, they send you to all these management training courses, and they've actually stated, hey, careful not to prejudge somebody based upon their appearance. You don't know where they came from, whatever, when you're calling them in for an interview. Especially with our situation with interviewing people, we had
2 3 4 5 6 7 8 9 10 11 12 13 14 15	brother, I'm bringing him in, even though this guy's  A. If he would have said that, we would have been, oh, okay, honestly, had he said  Q. Does he have to tell you as the manager all the reasons  A. No. He does not have to tell us that.  Q. Did you tell Drew every reason for 14:32:29 your decisions?  A. Yes. Actually, the way he is, you really do have to tell him why we're doing something.  Q. Did you tell all of your 14:32:38	2 3 4 5 6 7 8 9 10 11 12 13 14 15	and he came dressed up, right?  A. Right. Terrance came in a tie, the whole  Q. So when you're interviewing, you want to see how scrious they are about the Best 14:34:17 Buy job, right?  A. No. Because even at Best Buy, they send you to all these management training courses, and they've actually stated, hey, careful not to prejudge somebody based upon their appearance. You don't know where they came from, whatever, when you're calling them in for an interview. Especially with our situation with interviewing people, we had signs up there, we're interviewing people on 14:34:41
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	brother, I'm bringing him in, even though this guy's  A. If he would have said that, we would have been, oh, okay, honestly, had he said  14:32:25  Q. Does he have to tell you as the manager all the reasons  A. No. He does not have to tell us that.  Q. Did you tell Drew every reason for 14:32:29 your decisions?  A. Yes. Actually, the way he is, you really do have to tell him why we're doing something.  Q. Did you tell all of your 14:32:38 subordinates all the reasons why you're making	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	and he came dressed up, right?  A. Right. Terrance came in a tie, the whole  Q. So when you're interviewing, you want to see how scrious they are about the Best 14:34:17 Buy job, right?  A. No. Because even at Best Buy, they send you to all these management training courses, and they've actually stated, hey, careful not to prejudge somebody based upon their appearance. You don't know where they came from, whatever, when you're calling them in for an interview. Especially with our situation with interviewing people, we had signs up there, we're interviewing people on 14:34:41 the spot. You could have drove by the sign
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	Page 146		Page 148
1	A. I don't know if that was a policy	1	just to fail on the sales floor? I don't
2	or not.	2	understand. What was your problem, that
3	Q. You say you objected to a number of	3	Terrance should have been able to make the
4	people who were hired, right? Why didn't he	4	decision as to where he wanted to work or
5	just simply overrule on this hire as well if he 14:39:11	5	that why 14:41:01
6	didn't want to hire a black person?	6	A. Well, it's just that if you
7	A. He sure didn't give him the	7	yourself go to apply for a job, you know, we're
8	position, just like he did with another African	8	at a grocery store, I say, hey, I'm going to
9	male, did not you interview for a position,	9	put you in the deli, that's what you have
10	and we say yeah, we're going to hire you and 14:39:23	10	applied for, and then once you get your uniform 14:41:10
11	put you in this position. But when it comes	11	and I say, hey, get on the register, you know.
12	time to it, changed our mind, you're going to	12	Couple days go by, no, no, no, stay on the
13	do this now.	13	register, we got enough people for the deli.
14	And that's what I meant as far as	14	You're upset because you've applied for deli
15	like with Terrance, he was supposed to be 14:39:30	15	and you come to me and say, hey, you know, I 14:41:25
16	installing cars, because that's what he's being	16	thought I was being hired to work on the deli.
17	doing, installing cars, but yet we had him out	17	I get upset, I'll be like, since you went and
18	there on the sales floor.	18	complained, now you're only going to work this
19	Q. How long did it take Terrance to go	19	amount of hours. That's exactly what happened.
20	get his high school diploma? 14:39:42	20	He applied for one specific positron and was 14:41:37
21	A. Oh. my gosh. The guy, from us	21	placed in another position.
22	interviewing him that first time, maybe two	22	Q. Okay. And why do you think Mark
23	weeks. It was he was back, it was like wow,	23	did it based on race? Why on the sales
24	he was back.	24	A. Because
25	Q. Was he in school and graduating 14:39:56	25	Q versus installer? Why wouldn't 14:41:48
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	Page 147		Page 149
1	or	1	Mark want to put him where he's most qualified
2	A. No. He just did not graduate high	2	to help the customer?
3	school.	3	A. That was the same question that I
4	Q. And he went back and got his GED?	4	had, was asking of Mark.
5	A. Went back and got his GED. That is 14:40:03	5	Q. Okay. 14:42:00
6	correct.	6	A. That was the same question I had
7	Q. So he went back, got his diploma,	7	for Mark.
8	came back in, and your issue is that he wasn't	8	Q. And he said that I want him on the
9	put into the right position?	9	sale floor?
10	A. Right. And there was a mentioning 14:40:12	10	A. No. He just put him on the sales 14:42:05
11	of a CE something, certification, that you had	11	floor.
12	to have to work on the cars.	12	Q. And so you have no idea I mean.
13	Q. Okay.	13	why it would be he hired this gentleman?
14	A. As far as Best Buy's policy, you	14	A. Right. Right. So seeing that you
15	had to have your certifications to work on the 14:40:22	15	yourself, I myself, starts asking questions 14:42:17
16	cars, which Terrance didn't have, okay? But	16	like why, why is what's the issue of this
17	there was a white male that we brought aboard	17	guy not working out there in the bay, you know,
18	that did not have a certification that worked	18	where he has the knowledge and stuff. Why is
19	out there in the install bay. And during his	19	he put in the situation that he's not
1	•	20	comfortable with. 14:42:29
20		21	Q. And from what you said, his
21	that he took his test to go with that	22	knowledge was working at home on radio
21			KIIOWICHEL WAS WUIKINE AL NUME UN LAUN
22	Q. Okay.	i .	
22 23	Q. Okay. A but	23	installs?
22 23 24	<ul><li>Q. Okay.</li><li>A but</li><li>Q. I guess I'm just confused on Mark</li></ul>	23 24	installs?  A. Yeah. He did installs and stuff
22 23	Q. Okay. A but	23	installs?

1			
1	Page 150 Q. At his home?	1	Page 152 Q. You don't know if Terrance's
2	A. Right. Now	2	girlfriend would have been a good employee or
3	Q. Wait, wait. At home he did some	3	not?
4	installs on his radios and cars?	4	A. I've spoke with the lady. She came
5	A. Yeah. He did car installs for 14:42:42	5	in, even with their kid and everybody, I felt 14:44:27
6	other people, right there at his house.	6	she would have been a good employee. She was
7	Q. But he didn't have any	7	easy to talk to and she spoke very well.
8	A. Any certificates or stuff like	8	Q. But you said Terrance didn't do
9	that. He just knew how to install TVs	9	well at selling these
10	Q. And he put him on sales selling 14:42:53	10	A. No. He did not do too well 14:44:38
11	those things that he should know about since he	11	selling.
12	knew how to install, right?	12	Q. So Terrance didn't do too well
13	A. What was that again?	13	selling. Why would Mark decide, well, I'll
14	Q. Put him on the sales floor selling	14	hire your girlfriend as well. I don't why
15	the very things he wanted to install? 14:42:59	15	do you conclude that? 14:44:49
16	MS. ROWLES: Objection. Go ahead.	16	A. No. Mark told me that he doesn't
17	A. That's incorrect. Because you	17	hire couples. We don't hire couples. We don't
18	could know how to install something, and this	18	hire couple at our store was what Mark told me
19	even happens with my PC technicians, where you	19	that we don't do.  O. And you say but there was a white 14:45:02
20 21	can't talk to somebody and explain to them the 14:43:10 feature of this benefit and this and that, but	20 21	Q. And you say but there was a white 14:45:02 couple that was hired?
22	alls you know how to do is repair and do	22	A. Yeah. And there was a female that
23	installs all day.	23	worked in the store that actually stole
24	Q. Okay. So is that that's	24	something that we had to let go, and it was her
25	you're just upset that Terrance wasn't put into 14:43:22	25	boyfriend that we allowed to come in work at 14:45:16
Ľ	, , , , , , , , , , , , , , , , , , ,		
	Page 151	ŀ	Page 153.
1	the position that Terrance wanted?	1	the store. They were a couple.
2	MS. ROWLES: Objection. Go ahead.	2	Q. So she still wasn't still working
3	<ul> <li>A. I had question of why he was not</li> </ul>	3	when the boyfriend came onboard?
4	placed in the position that he had applied for.	4	<ol> <li>Yeah. She was still working.</li> </ol>
5			
	And when there was a mention of a car audio 14:43:34	5	Because they would go to lunch together, they 14:45:27
6	certification, why is it one, why is it that	5	Because they would go to lunch together, they would be in the break room together, they would
7	certification, why is it one, why is it that any other people that we've hired that was of	5 6 7	Because they would go to lunch together, they would be in the break room together, they would be holding hands as they're walking out and
7 8	certification, why is it one, why is it that any other people that we've hired that was of white race that we've hired, and we said, hey,	5 6 7 8	Because they would go to lunch together, they would be in the break room together, they would be holding hands as they're walking out and everything.
7 8 9	certification, why is it one, why is it that any other people that we've hired that was of white race that we've hired, and we said, hey, this was what we're going to make you, we made	5 6 7 8 9	Because they would go to lunch together, they would be in the break room together, they would be holding hands as they're walking out and everything.  Q. But she didn't steal before he was
7 8 9 10	certification, why is it one, why is it that any other people that we've hired that was of white race that we've hired, and we said, hey, this was what we're going to make you, we made them that, but when I came to Terrance's case, 14:43:52	5 6 7 8 9	Because they would go to lunch together, they would be in the break room together, they would be holding hands as they're walking out and everything.  Q. But she didn't steal before he was hired then?  14:45:32
7 8 9 10 11	certification, why is it one, why is it that any other people that we've hired that was of white race that we've hired, and we said, hey, this was what we're going to make you, we made them that, but when I came to Terrance's case. 14:43:52 that didn't happen. And then when it came to	5 6 7 8 9 10	Because they would go to lunch together, they would be in the break room together, they would be holding hands as they're walking out and everything.  Q. But she didn't steal before he was hired then?  14:45:32  A. No. This was after the fact.
7 8 9 10 11 12	certification, why is it one, why is it that any other people that we've hired that was of white race that we've hired, and we said, hey, this was what we're going to make you, we made them that, but when I came to Terrance's case. 14:43:52 that didn't happen. And then when it came to the fact the excuse was, well, there's a	5 6 7 8 9 10 11	Because they would go to lunch together, they would be in the break room together, they would be holding hands as they're walking out and everything.  Q. But she didn't steal before he was hired then?  A. No. This was after the fact.  Q. Was she a good employee before the
7 8 9 10 11 12 13	certification, why is it one, why is it that any other people that we've hired that was of white race that we've hired, and we said, hey, this was what we're going to make you, we made them that, but when I came to Terrance's case. 14:43:52 that didn't happen. And then when it came to the fact the excuse was, well, there's a certification that he needs to have, or	5 6 7 8 9 10	Because they would go to lunch together, they would be in the break room together, they would be holding hands as they're walking out and everything.  Q. But she didn't steal before he was hired then?  A. No. This was after the fact.  Q. Was she a good employee before the theft?
7 8 9 10 11 12 13 14	certification, why is it one, why is it that any other people that we've hired that was of white race that we've hired, and we said, hey, this was what we're going to make you, we made them that, but when I came to Terrance's case. 14:43:52 that didn't happen. And then when it came to the fact the excuse was, well, there's a certification that he needs to have, or whatever, and that's why he's not back there	5 6 7 8 9 10 11 12 13	Because they would go to lunch together, they would be in the break room together, they would be holding hands as they're walking out and everything.  Q. But she didn't steal before he was hired then?  A. No. This was after the fact.  Q. Was she a good employee before the theft?  A. I did not work too much with her.
7 8 9 10 11 12 13 14 15	certification, why is it one, why is it that any other people that we've hired that was of white race that we've hired, and we said, hey, this was what we're going to make you, we made them that, but when I came to Terrance's case. 14:43:52 that didn't happen. And then when it came to the fact the excuse was, well, there's a certification that he needs to have, or whatever, and that's why he's not back there because he's not certified, but then we allow, 14:44:01	5 6 7 8 9 10 11 12 13 14	Because they would go to lunch together, they would be in the break room together, they would be holding hands as they're walking out and everything.  Q. But she didn't steal before he was hired then?  A. No. This was after the fact.  Q. Was she a good employee before the theft?  A. I did not work too much with her.  But from talking to her, yeah, she was a fine 14:45:40
7 8 9 10 11 12 13 14	certification, why is it one, why is it that any other people that we've hired that was of white race that we've hired, and we said, hey, this was what we're going to make you, we made them that, but when I came to Terrance's case. 14:43:52 that didn't happen. And then when it came to the fact the excuse was, well, there's a certification that he needs to have, or whatever, and that's why he's not back there	5 6 7 8 9 10 11 12 13 14 15	Because they would go to lunch together, they would be in the break room together, they would be holding hands as they're walking out and everything.  Q. But she didn't steal before he was hired then?  A. No. This was after the fact.  Q. Was she a good employee before the theft?  A. I did not work too much with her.
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1.	Page 154		Page 156
	with somebody on that level. I would not	1	say, hey, wouldn't you like to go out with her.
2	I've only know I didn't know too many people	2	or anything like that?
3	in Ohio to begin with.	3	A. No, sir.
4	Q. I'm talking about your	4	Q. Never
5	subordinates. You've never had a subordinate 14:46:14	5	A. Never. Not once. 14:47:56
6	come up to you and say, hey, you know, I'm in	6	Q. Never commented did you see that
7	college, I got a friend who really needs a	7	girl over there, she looks great?
8	job A. No.	8	A. Never. Not once.
10	A. No. O. You never had 14:46:19	9	Q. So is that the only thing Todd said
11	A. Mark's never came up to me	10	to you about 14:48:05
12	Q. I'm not talking about Mark. I'm	11 12	A. Yes. That's the only thing.
13	talking about one of your subordinates, someone	13	Q. Is that the only person who ever
14	you're supervising.	14	said anything racist to you?  A. Yes. sir.
15	A. Right. 14:46:27	15	Q. Okay. And those comments weren't 14:48:12
16	Q. You're supervising me.	16	directed to you, they weren't saying that
17	A. I see what you're saying.	17	A. It was just in general. I'd be
18	Q. Nobody ever came up to you and	18	standing there, he'd say, Mike, there's a
19	said, hey, would you interview my friend	19	customer and
20	A. No. 14:46:36	20	Q. Okay. So it comes to the point 14:48:21
21	Q for a job?	21	where I think you had told me when did you
22	A. No.	22	first learn that Best Buy believed that you had
23	Q. Never. Okay. So did we talk about	23	violated its policies and were potentially
24	all your issues with Mark Rankin?	24	going to be terminated?
25	A. Yes. 14:46:43	25	A. On the day that they let me go. 14:48:37
<u> </u>			
	Page 155		Page 157
1	Q. And Mark never at Mayfield and	1	Q. Okay. So you learned when who, who
2	Macedonia, he never made any racist comments to	2	came in and who pulled you or told you, hey,
3	you?	3	we need to talk to you.
4	A. At the Mayfield location, no.	4	A. Mark.
5	Q. And at the? 14:46:54	5	Q. Mark Rankin? 14:48:51
6	A. And at the Macedonia location, no.	6	A. Yes, sir.
7	Q. And did anybody in Mayfield and	7	Q. Was anybody with Mark?
8	Macedonia, during your employment in Mayfield	8	A. What is the guy's name. Collins.
9	and Macedonia, did any Best Buy employees make	9	Q. Tim Collins? A. Yes, sir. 14:49:00
10	any racist comments to you? 14:47:04	10 11	A. Yes, sir. 14:49:00 Q. Those are the only two who were
11	A. Yes. Todd Scaleric. You know, it would be the black females coming in, he would	12	there?
12	comment I wouldn't say anything. He would	13	A. That's the only two that was
14	be like, you know, the sisters have a fat	14	present.
15	whatever, or what have you this is Todd 14:47:21	15	Q. Did you know Tim Collins before 14:49:04
16	Scaleric. Any time one of them came in there,	16	this day?
17	this was a comment that would come out of his	17	A. I knew of him, but did not know
18	mouth.	18	him. And, actually, before that day, I had a
19	Q. Tell us what the comment was.	19	very bad interaction with him before that day
20	A. She has a fat ass, or the sisters 14:47:30	20	here came about. 14:49:17
21	are always thick or whatever. Or, Mike, is	21	Q. What was that? What was your
22	that too much butt for you, or whatever, was	22	interaction?
23	what Todd Scaleric was saying.	23	A. I was the only manager in the
	man road comments man on mig.		
24	Q. Did Todd say things about white	24	building at that day. Tim came in into the
		24 25	building at that day. Tim came in into the store, and I felt like he was talking about 14:49:25
24	Q. Did Todd say things about white	1	· · · · · · · · · · · · · · · · · · ·

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1	Page 162 Q. Where did you meet with him?	١,	Page 164 it back Devo, because it was one of our
2	A. We went back to where we have our	2	discontinued computers. So Tim was questioning
3	managers meetings at, the back room.	3	not only why did I put it to the side, but why
4	Q. And Mr. Collins was there?	4	would I switch it out like that, and why am I
5	A. Right, 15:03:15	5	sending it back to Devo. And my response to 15:05:23
6	Q. No one else was there?	6	him was that it was a discontinued computer.
7	A. Mark.	7	We had an employee sale on discontinued items,
8	Q. Mark and Tim. Okay. And what did	8	which your manager had to sign off on.
9	they talk to you about?	9	So the reason why I didn't even
10	A. We talked about a computer. 15:03:24	10	charge it, because I could have bought it on 15:05:37
11	Q. Okay. And what about it?	11	the Sunday, but I had to wait for Mark to get
12	A. It was basically about no, Tim	12	approved. I had even called Mark and told him,
13	was talking about, Tim spent a good amount of	13	hey, there's going to be a computer up front
14	time explaining what it was that he does with	14	sitting up there that I'm going to want to
15	Best Buy and things like that. Mark wasn't 15:03:41	15	purchase, or whatever, that's for me. 15:05:50
16	speaking at all. Tim had asked about why,	16	Q. Was it a new computer or used?
17	first of all, like why I had took a computer,	17	A. The computer that I put up there
18	placed it up front and set it to the side, is	18	has never been opened, but it was a
19	that something that we do, or what have you. I	19	discontinued computer.
20	said yes, I was putting it on hold because I 15:04:03	20	Q. So you're saying it was a new 15:06:00
21	was going to purchase it later.	21	computer?
22	Q. How long was it set aside?	22	A. Right.
23	A. It was set aside since Sunday.	23	(Thereway Defendant's Deposition
24	Q. How many days?	25	(Thereupon. Defendant's Deposition  Exhibit 1 was marked for purposes of
25	A. Since that Sunday. From that 15:04:16	23	Exhibit 1 was marked for purposes of
	Page 163		Page 165
1	Page 163 Sunday to whatever, I'm not too sure. At this	1	Page 165 identification.)
l	Sunday to whatever, I'm not too sure. At this	1 2	
1 2 3		1	
2	Sunday to whatever, I'm not too sure. At this time I can't even recall what day it was that	2	identification.)
2 3	Sunday to whatever, I'm not too sure. At this time I can't even recall what day it was that they let me go.	2	identification.)  Q. Handing you what's been marked
2 3 4	Sunday to whatever, I'm not too sure. At this time I can't even recall what day it was that they let me go.  Q. More than one day?	2 3 4	identification.) Q. Handing you what's been marked assist Defendant's Exhibit 1, have you seen
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Sunday to whatever, I'm not too sure. At this time I can't even recall what day it was that they let me go.  Q. More than one day?  A. Yes. More than one day.  Is:04:28  Q. If you were going to charge it, why not just charge it  A. I had to wait for Mark Rankin's approval before I could purchase it.  Q. So you hadn't purchased it prior to 15:04:38 the meeting?  A. That is correct.  Q. So the computer is just sitting there and you didn't  A. To the side. That is correct.  Q. And you didn't purchase it?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	identification.)  Q. Handing you what's been marked assist Defendant's Exhibit 1, have you seen that before today?  A. Today, no. Q. What is this? A. This is a copy of one of our CPOs. Q. What's a CPO? A. A CPO is kind of like, it's a bill, 15:06:54 it's like a bill that you write up that needs to be rung out. Q. Okay. And do you recognize the skews and the HPs up there, what are those two things where we see the price \$549.99, what is 15:07:09 that?
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Sunday to whatever, I'm not too sure. At this time I can't even recall what day it was that they let me go.  Q. More than one day?  A. Yes. More than one day.  Q. If you were going to charge it, why not just charge it  A. I had to wait for Mark Rankin's approval before I could purchase it.  Q. So you hadn't purchased it prior to 15:04:38 the meeting?  A. That is correct.  Q. So the computer is just sitting there and you didn't  A. To the side. That is correct.  Q. And you didn't purchase it?  A. That is correct.  Q. Okay. So go on. What else did	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	identification.)  Q. Handing you what's been marked assist Defendant's Exhibit 1, have you seen that before today?  A. Today, no. Q. What is this? A. This is a copy of one of our CPOs. Q. What's a CPO? A. A CPO is kind of like, it's a bill, 15:06:54 it's like a bill that you write up that needs to be rung out. Q. Okay. And do you recognize the skews and the HPs up there, what are those two things where we see the price \$549.99, what is 15:07:09 that?  A. That's a computer. Q. Okay. What kind?
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Sunday to whatever, I'm not too sure. At this time I can't even recall what day it was that they let me go.  Q. More than one day?  A. Yes. More than one day.  I 5:04:28  Q. If you were going to charge it, why not just charge it  A. I had to wait for Mark Rankin's approval before I could purchase it.  Q. So you hadn't purchased it prior to 15:04:38 the meeting?  A. That is correct.  Q. So the computer is just sitting there and you didn't  A. To the side. That is correct.  I 5:04:43  Q. And you didn't purchase it?  A. That is correct.  Q. Okay. So go on. What else did they talk to you about?  A. Then towards the basically the 15:04:51	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	identification.) Q. Handing you what's been marked assist Defendant's Exhibit 1, have you seen that before today?  A. Today, no. Q. What is this? A. This is a copy of one of our CPOs. Q. What's a CPO? A. A CPO is kind of like, it's a bill, 15:06:54 it's like a bill that you write up that needs to be rung out. Q. Okay. And do you recognize the skews and the HPs up there, what are those two things where we see the price \$549.99, what is 15:07:09 that?  A. That's a computer. Q. Okay. What kind? A. Hewlett Packard. Q. Is that what you had set aside? 15:07:16
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Sunday to whatever, I'm not too sure. At this time I can't even recall what day it was that they let me go.  Q. More than one day?  A. Yes. More than one day.  I 5:04:28  Q. If you were going to charge it, why not just charge it  A. I had to wait for Mark Rankin's approval before I could purchase it.  Q. So you hadn't purchased it prior to 15:04:38 the meeting?  A. That is correct.  Q. So the computer is just sitting there and you didn't  A. To the side. That is correct.  I 5:04:43  Q. And you didn't purchase it?  A. That is correct.  Q. Okay. So go on. What else did they talk to you about?  A. Then towards the basically the 15:04:51 conversation was why I had placed the computer	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	identification.)  Q. Handing you what's been marked assist Defendant's Exhibit 1, have you seen that before today?  A. Today, no. Q. What is this? A. This is a copy of one of our CPOs. Q. What's a CPO? A. A CPO is kind of like, it's a bill, 15:06:54 it's like a bill that you write up that needs to be rung out. Q. Okay. And do you recognize the skews and the HPs up there, what are those two things where we see the price \$549.99, what is 15:07:09 that?  A. That's a computer. Q. Okay. What kind? A. Hewlett Packard. Q. Is that what you had set aside? 15:07:16 A. Yes. That's what I had set aside.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Sunday to whatever, I'm not too sure. At this time I can't even recall what day it was that they let me go.  Q. More than one day?  A. Yes. More than one day.  Q. If you were going to charge it, why not just charge it  A. I had to wait for Mark Rankin's approval before I could purchase it.  Q. So you hadn't purchased it prior to 15:04:38 the meeting?  A. That is correct.  Q. So the computer is just sitting there and you didn't  A. To the side. That is correct.  Q. And you didn't purchase it?  A. That is correct.  Q. Okay. So go on. What else did they talk to you about?  A. Then towards the basically the 15:04:51 conversation was why I had placed the computer to the side. And then second of all. I had took a computer, took it out of a box, put one	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	identification.)  Q. Handing you what's been marked assist Defendant's Exhibit 1, have you seen that before today?  A. Today, no. Q. What is this? A. This is a copy of one of our CPOs. Q. What's a CPO? A. A CPO is kind of like, it's a bill, 15:06:54 it's like a bill that you write up that needs to be rung out. Q. Okay. And do you recognize the skews and the HPs up there, what are those two things where we see the price \$549.99, what is 15:07:09 that?  A. That's a computer. Q. Okay. What kind? A. Hewlett Packard. Q. Is that what you had set aside? 15:07:16 A. Yes. That's what I had set aside. Q. Okay. Why was there an invoice if you hadn't purchased it?

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	Page 166		Page 168
1	Q. So you wrote it up. So that was a	1	A. 324 which one is that I know
2	computer. What was below that, the HP	2	that during this week when I was looking at
3	A. That was the monitor.	3	buying this computer, they had something,
4	Q. Okay.	4	again, an additional certain percentage off of
5	A. Right. 15:07:35	5	whatever is discontinued. We had ran a 15:09:57
6	Q. Okay. And then special	6	special. There was a sheet for that.
7	instructions, is that your writing?	7	Q. So you're saying the next, the open
8	A. Yes. This is all my writing.	8	box price, I see \$714.99, and up top you put
9	Q. So this whole thing was written by	9	\$549.99. Is that, again, the discount?
10	you? 15:07:44	10	A. Yeah. So that should be with the, 15:10:11
11	A. That is correct.	11	I believe so, that should be with the discount.
12	Q. And the special instructions, I see	12	Q. Now, this invoice, are you saying
13	here that says, what is that, open clearance	13	this invoice was not what you set aside, that
14	display?	14	you set aside something different?
15	A. Clearance display, open item, and 15:08:02	15	A. No. The only thing that I had set 15:10:22
16	the regular price as \$1,129, missing the remote	16	aside, I remember when I put the computer in a
17	control, open box price, \$715, clearance	17	cart or something, then I put my name in like
18	display monitor no speakers, regular price is	18	big old letters, "do not sell per Mike".
19	\$449. open item price \$324.99.	19	Q. Okay. Well, my question was this
20	Q. And so from \$324.99 to \$249, was 15:08:18	20	invoice 15:10:38
21	that the discount, employee discount, or how	21	A. Right.
22	did you get to that?	22	Q you wrote out, was this invoice
23	A. At this time I cannot recall how I	23	for what was set aside, and you said in big
24	got to that cost. There was this is the one	24	letters do not sell?
25	that I was originally going to purchase. That 15:08:34	25	A. No. Because this doesn't even have 15:10:44
		<u> </u>	<del></del>
1	Page 167	Ì	Page 169
1	was the one on display. And Drew had told me	1	that written on there. This doesn't have this
2	that we had one that was newer in a box. So I	2	written on there at all.
3	remember writing this. Where's the original?	3	Q. Well, you're saying something would
4	Because the one that was in the box had	4	have been written on here "do not sell"?
5	everything to it, the remote and everything. 15:08:52	5	A. Yeah. "Do not sell per Mike". 15:10:55
6	Q. What was set aside, these things,	6	Q. On the invoice as well?
7	or	7	A. On the invoice as well.
8	A. The one that I took out the box was	8	Q. So you think there was another
9	what I set aside. This right here, I don't	9	invoice that you wrote it?
10	know, this is not something that I had like 15:09:02	10	A. Yeah. There should be another 15:11:02
11	gave to Mark or anything like that.	11	invoice out there. I don't know how you guys
12	Q. When you wrote it out, who would	12	got this.
13	you have given it to?	13	Q. So you don't think this is the
14	a Mail I mould bond only if to Mark	14	right invoice?
	A. Well, I would have gave it to Mark	1.7	
15	had he been there. I would have gave it to 15:09:13	15	A. No. 15:11:11
15 16	had he been there. I would have gave it to 15:09:13 Mark.	16	Q. What was different about what you
15 16 17	had he been there. I would have gave it to 15:09:13  Mark.  Q. How did Best Buy come in possession	16 17	Q. What was different about what you put out than what is written on here?
15 16 17 18	had he been there. I would have gave it to 15:09:13 Mark.  Q. How did Best Buy come in possession of this?	16 17 18	<ul><li>Q. What was different about what you</li><li>put out than what is written on here?</li><li>A. At this time I can't think of. But</li></ul>
15 16 17 18 19	had he been there. I would have gave it to 15:09:13  Mark.  Q. How did Best Buy come in possession of this?  A. This, I do not know.	16 17 18 19	Q. What was different about what you put out than what is written on here?  A. At this time I can't think of. But I know. like, as far as it missing the remote
15 16 17 18 19 20	had he been there. I would have gave it to 15:09:13  Mark. Q. How did Best Buy come in possession of this? A. This, I do not know. Q. Okay. Did you give it to one of 15:09:24	16 17 18 19 20	Q. What was different about what you put out than what is written on here?  A. At this time I can't think of. But I know, like, as far as it missing the remote control and things like that, that wasn't on 15:11:22
15 16 17 18 19 20 21	had he been there. I would have gave it to 15:09:13  Mark. Q. How did Best Buy come in possession of this? A. This, I do not know. Q. Okay. Did you give it to one of 15:09:24 the cashiers?	16 17 18 19 20 21	Q. What was different about what you put out than what is written on here?  A. At this time I can't think of. But I know. like, as far as it missing the remote control and things like that, that wasn't on 15:11:22 there because I was getting everything newer,
15 16 17 18 19 20 21 22	had he been there. I would have gave it to 15:09:13  Mark.  Q. How did Best Buy come in possession of this?  A. This, I do not know. Q. Okay. Did you give it to one of 15:09:24 the cashiers? A. No, sir.	16 17 18 19 20 21 22	Q. What was different about what you put out than what is written on here?  A. At this time I can't think of. But I know. like, as far as it missing the remote control and things like that, that wasn't on 15:11:22 there because I was getting everything newer, where it had everything.
15 16 17 18 19 20 21 22 23	had he been there. I would have gave it to 15:09:13  Mark. Q. How did Best Buy come in possession of this? A. This, I do not know. Q. Okay. Did you give it to one of 15:09:24 the cashiers? A. No, sir. Q. So my question to you though was.	16 17 18 19 20 21 22 23	Q. What was different about what you put out than what is written on here?  A. At this time I can't think of. But I know. like, as far as it missing the remote control and things like that, that wasn't on 15:11:22 there because I was getting everything newer, where it had everything.  Q. Okay. So what you set aside
15 16 17 18 19 20 21 22 23 24	had he been there. I would have gave it to  Mark.  Q. How did Best Buy come in possession of this?  A. This, I do not know. Q. Okay. Did you give it to one of 15:09:24 the cashiers? A. No, sir. Q. So my question to you though was. how you got to the open item price of \$324.99.	16 17 18 19 20 21 22 23 24	Q. What was different about what you put out than what is written on here?  A. At this time I can't think of. But I know. like, as far as it missing the remote control and things like that, that wasn't on there because I was getting everything newer, where it had everything.  Q. Okay. So what you set aside actually had the remote control and other
15 16 17 18 19 20 21 22 23	had he been there. I would have gave it to 15:09:13  Mark. Q. How did Best Buy come in possession of this? A. This, I do not know. Q. Okay. Did you give it to one of 15:09:24 the cashiers? A. No, sir. Q. So my question to you though was.	16 17 18 19 20 21 22 23	Q. What was different about what you put out than what is written on here?  A. At this time I can't think of. But I know. like, as far as it missing the remote control and things like that, that wasn't on 15:11:22 there because I was getting everything newer, where it had everything.  Q. Okay. So what you set aside

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1	A. Yes, sir. That is correct.	1	He looked up at Mark. I remember Mark sliding
2	Q. Is the only reason why you think	2	a piece of paper which reassembled one of our
3	this is a different invoice is because it's not	3	write-up forms, separation notice type thing.
4	written on there "do not sell per Mike"?	4	And I remember seeing something like attempted
5	A. Yeah. I don't see the part where I 15:11:44	5	to take computer. And I was like what are you 15:13:54
6	put "do not sell per Mike".	6	trying I didn't even get to read it all. I
7	Q. Would you maybe have put it on a	7	was like what are you trying to say I was
8	different piece of paper versus the invoice	8	trying to steal the computer, or what have you.
9	itself?	9	Tim grabs the paper, reads it, and I remember
10	A. No. I'm sure I would have wrote 15:11:53	10	him saying like, yeah, that's not right, and he 15:14:06
11	that on top.	11	starts crumbling up.
12	Q. So what you put aside now, let	12	And at the time, that's when I got
13	me ask you about this open box. What's that	13	on my cell phone to make a phone call. Tim was
14	mean?	14	saying you need to get off your phone so we can
15	A. Open box, it was the term that they 15:12:00	15	handle this, or what have you. I'm on the 15:14:15
16	use for like a display model. Or in your	16	phone. Mark is rewriting something out on
17	concerns that somebody returns something, if we	17	another separation notice. And I'm like I'm on
18	take it out of the box and resell it, that can	18	the phone, let me see it. He's like no, you
19	be considered all open box. I mean, there's no	19	ain't going to be able to see it until you got
20	box, it's an open box. 15:12:19	20	off the phone. So then it became into one of 15:14:28
21	Q. Was there a different discount on	21	those contests.
22	whether the computer was new or used?	22	The last thing I heard come from
23	A. No. I should have received the	23	Tim was something in the form of Tim, or Mike,
24	same discount, would have got the same price.	24	you know, don't you have your son, and you got
25	Q. Whether it had been used by a 15:12:29	25	that baby on the way, I should hate for 15:14:44
	Page 171		Page 173
1	customer or not?	ı	something legally to happen to you in the
2	A. Had it been used or anything. That	2	future where you cannot be with your family.
3	is correct.	3	That was the very last thing that he said to
4	Q. That's in your view?	4	me.
5	A. In my view. That is correct. 15:12:34	5	Q. Who are you talking to on the 15:14:53
6	Q. Okay. What else did Tim and Mark	6	phone?
7	say to you?	7	A. On the phone, I was actually
8	A. Tim was asking me about why would I	8	talking to Wayne. I was trying to call my
9	send something back to the vendor like that.	9	attorney, then I called Wayne.
10	And my response was that, well, that was 15:12:55	10	Q. You called Wayne. Why did you call 15:15:02
11	something that we have always done. And I	11	Wayne?
12	remember turning at the time, turning, looking	12	A. Because I was explaining to him
13	at Mark when I made that statement, and he	13	what was going on, what was happening. I was
1		14	already uncomfortable with Mark. I just didn't
14	asked me, well, there's nothing wrong with it and stuff, so why would you send it back. And 15:13:10	l	•
15		1	
16	I was like, well, a lot of our stuff that was	16	being cornered, or what have you. I honestly
17	bad as far as margin, we sent back. I mean.	17	had told Tim that I was on the phone, you know,
18	even if it was never opened, we would send	18	calling a lawyer, or what have you, and he's
19	back. That's what Mark would have us do, or	19	asking for lawyer IDs.
1 ~ ~	what have you. 15:13:23	20	Q. So did you tell Mark that you 15:15:29
20	•	۱	11 1 1 0
21	And then I remember there was a	21	called a lawyer?
21 22	And then I remember there was a pause, and I had asked Tim, I was like, so	22	A. I had told Tim.
21 22 23	And then I remember there was a pause, and I had asked Tim, I was like, so where are we going from here, what are you	22 23	<ul><li>A. I had told Tim.</li><li>Q. You told Tim Collins that you had</li></ul>
21 22 23 24	And then I remember there was a pause, and I had asked Tim, I was like, so where are we going from here, what are you getting at, what's going on. And he's like,	22 23 24	A. I had told Tim.     Q. You told Tim Collins that you had called a lawyer?
21 22 23	And then I remember there was a pause, and I had asked Tim, I was like, so where are we going from here, what are you	22 23	<ul><li>A. I had told Tim.</li><li>Q. You told Tim Collins that you had</li></ul>

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	Page 174		Page 176
1	Q. But you actually hadn't called a	1	testifying didn't make it any larger discount?
2	lawyer?	2	A. No. It didn't make it any larger
3	A. That is correct.	3	discount or anything.
4	Q. Who was your lawyer at that time?	4	Q. Okay. Do display computers have
5	A. I actually didn't have any 15:15:45	5	what's referred to as a license plate? 15:17:49
6	attorneys.	6	A. Yes.
7	Q. I thought you said you tried to	7	Q. What's a license plate?
8	call your lawyer at first?	8	A. A license plate just identifies
9	A. Oh, well, excuse me. 1 tried to	9	what the skew and the model number is. That's
10	call I actually tried to reach my dad, who's 15:15:53	10	what we use for send backs, because they scan 15:17:56
11	actually a regional manager for another	11	it, it's easy. You scan that and then it puts
12	business to get some insight, but I couldn't	12	all the information in there at one time.
13	reach him. So I called Wayne after my dad	13	Q. The license plate has a serial
14	didn't pick up. But I told Tim that I'm on the	14	number on it, right?
15	phone with my lawyer. 15:16:07	15	A. That I do not know. 15:18:07
16	Q. Why did you tell Tim that?	16	Q. It doesn't match up with the
17	<ol> <li>Because, again, I felt like it was</li> </ol>	17	computer that it's attach to?
18	them verse me. And then when he was like	18	A. That I do not know.
19	asking me, like when I read attempted to take	19	Q. You don't know?
20	computer, and then when he was asking me about 15:16:22	20	A. From my understanding, when you 15:18:14
21	why are you sending it back. And here's the	21	scan a license plate, it popped up like the
22	guy that's sitting behind me that sends stuff	22	skew and model number. Nothing with serial
23	back all the time, and he's not speaking up	23	numbers. That was briefly for like with
24	like, yeah, we send stuff like that back and	24	sending backs and everything, it made it easier
25	things like that, or what have you, and he's	25	for us to scan with the license plate. 15:18:26
1		ı	·
		_	
	Page 175		Page 177
ļ ,	Page 175 not saying anything, I felt cornered and	1	Page 177 O. The license plate would identify
1 2	not saying anything, I felt cornered and	1 2	Q. The license plate would identify
2	not saying anything, I felt cornered and trapped, and I wanted to call somebody.	ı	Q. The license plate would identify the computer it's attached to, right?
1	not saying anything, I felt cornered and trapped, and I wanted to call somebody.  Q. Let me just ask you, on this	2	<ul><li>Q. The license plate would identify</li><li>the computer it's attached to, right?</li><li>A. As that particular model, but it</li></ul>
2 3	not saying anything, I felt cornered and trapped, and I wanted to call somebody.	2	Q. The license plate would identify the computer it's attached to, right?  A. As that particular model, but it wouldn't matter if it was like a to my
2 3 4	not saying anything, I felt cornered and trapped, and I wanted to call somebody.  Q. Let me just ask you, on this invoice it says clearance display open, right?  A. That is correct. 15:16:47	2 3 4	Q. The license plate would identify the computer it's attached to, right?  A. As that particular model, but it wouldn't matter if it was like a to my understanding, that like if it was one model 15:18:37
2 3 4 5 6	not saying anything, I felt cornered and trapped, and I wanted to call somebody.  Q. Let me just ask you, on this invoice it says clearance display open, right?  A. That is correct. 15:16:47  Q. Do display models get a bigger	2 3 4 5	Q. The license plate would identify the computer it's attached to, right?  A. As that particular model, but it wouldn't matter if it was like a to my understanding, that like if it was one model from another, it would still pop up as HP,
2 3 4 5 6 7	not saying anything, I felt cornered and trapped, and I wanted to call somebody.  Q. Let me just ask you, on this invoice it says clearance display open, right?  A. That is correct. 15:16:47  Q. Do display models get a bigger discount than just a new opened item?	2 3 4 5 6 7	Q. The license plate would identify the computer it's attached to, right?  A. As that particular model, but it wouldn't matter if it was like a to my understanding, that like if it was one model from another, it would still pop up as HP, whatever that model is.
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	Page 226		Page 228
1	MR. CAMPBELL: Okay. So with that,	1	I do further certify that I am not
2	I'm assuming he's going to read? Is he going	2	a relative, counsel or attorney for either
3	to read the transcript?	3	party, or otherwise interested in the event of
4	MS. ROWLES: We usually advise	4	this action.
5	people to read the transcript and not waive 16:13:40	5	IN WITNESS WHEREOF, I have hereunto
6	signature.	6	set my hand and affixed my seal of office at
7	THE WITNESS: I will not waive	7	Cleveland, Ohio, on this 19th day of
8	signature.	8	July . 2007.
9	MR. CAMPBELL: Okay. Thanks a lot	9	
10	for coming out, and we can close with these 16:13:51	10	/
111	discussions.	11	. 1
12	~~~~	12	$M \parallel \rho \rho$
13		13	land Person
14		14	Todd L. Persson, Notary Public
15	İ	15	within and for the State of Ohio
16		16	William and for the blace of Onto
1		17	My commission expires July 28, 2007.
17		18	wy continussion expires July 28, 2007.
18		19	
19		20	
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21		21	
		22	
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i		25	
100	SWENT MANER		
	Page 227		Page 229
	***CERTIFICATE	1	Page 229 SIGNATURE OF WITNESS
		2	
	Suite of:Ohio, ) SS:	_	
1	CERTIFICATE	2	
5	Suite of:Ohio, ) SS:	2 3	SIGNATURE OF WITNESS
5 6	Suite of:Ohio, ) SS:	2 3 4	
5 6 7	CERTIFICATE  State of:Ohio, )  SS:  County of Cuyahoga. )  I, Todd L. Persson, a Notary Public within and for the State of Ohio, duly	2 3 4 5	The deposition of MICHAEL GRAHAM, taken in the matter, on the date, and at the
5 6 7 8	CERTIFICATE  Suite of:Ohio, )  SS:  County of Cuyahoga. )  1, Todd L. Persson, a Notary Public	2 3 4 5 6	SIGNATURE OF WITNESS  The deposition of MICHAEL GRAHAM,
5 6 7 8 9	CERTIFICATE  State of:Ohio, )  SS:  County of Cuyahoga. )  I, Todd L. Persson, a Notary Public within and for the State of Ohio, duly	2 3 4 5 6 7	The deposition of MICHAEL GRAHAM, taken in the matter, on the date, and at the
8	CERTIFICATE  State of Ohio, )  SS:  County of Cuyahoga. )  I, Todd L. Persson, a Notary Public within and for the State of Ohio, duly commissioned and qualified, do hereby certify	2 3 4 5 6 7 8	The deposition of MICHAEL GRAHAM, taken in the matter, on the date, and at the time and place set out on the title page hereof.  It was requested that the
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## **ERRATA SHEET**

## Deposition of Michael Graham • February 28, 2007 Graham v. Best Buy Stores, L.P. Case No. 1:06CV2091 United States District Court, Northern District of Ohio

Page 62, Line 25 change, "Mayfield" to "Macedonia"

<u>Reason:</u> Upon reading my deposition, I realized my answer was incorrect.

incorrec

Page 63, Line 2 change, "Mayfield" to "Macedonia"

<u>Reason:</u> Upon reading my deposition, I realized my answer was incorrect.

Page 64, Line 7 change, "Macedonia" to "Mayfield"

<u>Reason:</u> Upon reading my deposition, I realized my answer was incorrect.

Page 134, Lines 15-17 change, "Right. And just like it was my opinion that I know we don't charge restocking fees for" to "That is not correct."

Reason: Upon reading my deposition, I realized my answer was incorrect.

Page 220, Line 4 change, "No." to "Yes."

Reason: Upon reading my deposition, I realized my answer was

incorrect.

Date: 4/20/2007

ICHAEL GRAHAM